THE QUESTION OF PALESTINE 1979-1990

UNITED NATIONS

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Prepared for, and under the guidance of, the Committee on the Exercise of the Inalienable Rights of the Palestinian People

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INTRODUCTION

This publication introduces in broad outline some of the main developments concerning the question of Palestine during the period from 1979 to 1990. An earlier brochure on the question of Palestine, prepared for, and under the guidance of, the Committee on the Exercise of the Inalienable Rights of the Palestinian People addressed this question up to the late 1970s.[1]

The question of Palestine is considered as one of the most long-standing and difficult international conflicts of this century. At the United Nations, the issue was addressed originally during the first special session of the General Assembly in April 1947. Later that year, the General Assembly adopted resolution 181 (II) of 29 November 1947, requesting the Security Council to implement the Plan of Partition with Economic Union providing for the establishment of independent Arab and Jewish States and a special international regime for the City of Jerusalem. The proclamation of the State of Israel and the first Arab-Israeli war followed in 1948. That year, in the context of armed conflict, the first large-scale displacement of Palestinians took place, resulting in the loss of their homes and property and in conditions of starvation and distress among the refugees. The General Assembly, in its resolution 194 (III) of 11 December 1948, resolved that refugees wishing to return to their homes and live at peace with their neighbours should be permitted to do so at the earliest practicable date, and that compensation should be paid for the property of those choosing not to return. The second large flight of Palestinians took place in 1967 when, after war had broken out, the West Bank, including East Jerusalem, and the Gaza Strip were occupied by Israel. The Security Council, in its resolution 237 (1967) of 14 June 1967 called upon the Government of Israel to ensure the safety, welfare and security of the inhabitants of the areas where military operations had taken place and to facilitate the return of those inhabitants who had fled the areas since the outbreak of hostilities. For decades, the Security Council, the General Assembly and the respective Secretaries-General have endeavoured to reach a political solution to the question of Palestine and to further the maintenance of peace and security in the region.

Numerous important developments took place during the period from 1979 to 1990 at the international level and on the ground, including events which aggravated the plight of the Palestinian people and efforts which sustained the hope for a just solution to the Arab-Israeli conflict, at the core of which lies the question of Palestine. For instance, the peace treaty between Egypt and Israel signed in 1979 was concluded without the participation of Palestinians. In 1982, a large-scale invasion of Lebanon by Israel resulted in heavy loss of life among Palestinian refugees there and led to the evacuation of Palestinian forces to other countries. The military occupation of the West Bank and Gaza Strip, including Jerusalem, was steadily consolidated through the expansion of Israeli settlement activities, appropriation of land and water resources, incorporation into Israel of Jerusalem occupied since 1967, and adoption of violent repressive measures against the Palestinian civilian population.

During the 1980s, Palestinian refugees connected with the 1948 and 1967 wars continued to live under often lamentable and dangerous conditions. It may be recalled that the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) was established by the General Assembly in 1949 to help the refugees who lost their homes and livelihood as a result of the Arab-Israeli conflict in Palestine in 1948, pending the solution to their problem. Between 1979 and 1990, hope for the return of refugees to their homes was eroded, in particular by the repeated occurrence of the displacement of Palestinians, the deportation of Palestinians from the occupied territory, including Jerusalem, the large-scale influx of Israeli settlers into the Palestinian territory and the implementation of discriminatory policies on residence, return and family reunification applied to Palestinians. The continuous pressure on the Arab population to emigrate in order to make room for new settlers, as a consequence of the settlement policy of the occupying Power, was addressed by the Security Council Commission established under resolution 446 (1979) in its report of 12 July 1979. The General Assembly has repeatedly rejected any plans and actions creating conditions leading to the displacement and exodus of Palestinians from the occupied Palestinian territory and urged the Secretary-General to undertake effective measures to guarantee the safety and security as well as the legal and human rights of the Palestine refugees in the occupied Palestinian territory, pending the withdrawal of Israeli forces. Since December 1969, the General Assembly has recognized that the problem of the Palestine Arab refugees has arisen

from the denial of their inalienable rights under the Charter of the United Nations and the Universal Declaration of Human Rights.

The Palestinian popular uprising, the *intifadah*, erupted in December 1987. It has since involved tremendous sacrifices and hardship for the Palestinian people and underlined the need to intensify efforts to find a political solution to the Arab-Israeli conflict and the question of Palestine. In 1988, the Palestine National Council proclaimed the independence of the State of Palestine on the basis of the United Nations partition resolution of 1947 and launched a peace initiative which obtained overwhelming international support. The Palestine Liberation Organization and the United States started and maintained a dialogue for over one year. At the forty-fourth session of the General Assembly in 1989, an unprecedented number of Member States of the United Nations endorsed the call made since 1983 for the convening of an international peace conference on the Middle East.

Throughout the period under consideration, the military occupation of the Palestinian territory continued to involve the non-compliance by Israel with international conventional law, United Nations resolutions and humanitarian principles, increasing violation of human rights and deterioration of the living conditions of the Palestinian people. As a consequence, requirements for the international protection of the Palestinian people, including in the area of economic assistance, have risen dramatically during the 1980s.

The violations by the occupying Power of provisions of international humanitarian law such as the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949, commonly referred to as the Fourth Geneva Convention, and the absence of a mechanism for ensuring the safety and protection of the Palestinian population in the territory occupied since 1967, including Jerusalem, have continued to require urgent attention by the United Nations during the period from 1979 to 1990. The international community has not so far succeeded in persuading Israel, a High Contracting Party to the Fourth Geneva Convention, to accept the applicability of that Convention and other relevant norms of international law to the occupied Palestinian territory. No progress has been made towards achieving the exercise by the Palestinian people of its inalienable national rights, contributing to a comprehensive, just and lasting peace in the Middle East.

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I. Major political events and efforts towards a peaceful solution to the question of Palestine

A. The peace treaty of March 1979 between Egypt and Israel

By the end of the 1967 war, Israel had occupied the West Bank, Gaza Strip, Golan Heights and Sinai Peninsula. Prior to Israeli occupation, since the 1948 war, the West Bank, including East Jerusalem, was under Jordanian rule and the Gaza Strip held by Egypt. After more than 10 years of military occupation, Israel imposed its laws, jurisdiction and administration on East Jerusalem (1980) and the Golan Heights (1981), seeking to alter their character and status despite international protests concerning the illegality of these actions. War broke out again in October 1973 when Egyptian forces in the Suez Canal sector and Syrian forces on the Golan Heights attacked Israeli positions. In December of the same year, a Peace Conference on the Middle East was briefly convened at Geneva under the auspices of the United Nations and co-chairmanship of the Soviet Union and the United States, with Egypt, Israel and Jordan attending. On 26 March 1979, a peace treaty between Egypt and Israel was signed leading to the dismantling of Israeli settlements on the Sinai Peninsula, return of all occupied Egyptian territory and normalization of relations between the two countries.

Amidst protracted efforts to reconvene the 1973 Peace Conference at Geneva, on 19 November 1977, the late Mr. Anwar Sadat, President of the Arab Republic of Egypt, visited Jerusalem and addressed the Israeli parliament the following day. Subsequently, negotiations took place between Egypt and Israel with the full participation of the United States, culminating, on 17 September 1978, in the Camp David accords. The accords consist of two frameworks, one for peace in the Middle East, and one for the conclusion of a peace treaty between the two signatories. The framework for peace in the Middle East contains a formula for negotiations among Egypt, Israel, Jordan and the representatives of the Palestinian people on the resolution of the Palestinian problem in all its aspects, recognizing the legitimate rights of the Palestinian people and its just requirements, and for transitional arrangements leading to full autonomy for the inhabitants of the West Bank and Gaza Strip. The framework stipulates that, in order to provide full autonomy to the inhabitants, under

these arrangements the Israeli military government and its civilian administration will be withdrawn as soon as a self-governing authority has been freely elected by the inhabitants of these areas to replace the existing military government. Moreover, when the self-governing authority (administrative council) in the West Bank and Gaza is established and inaugurated, a transitional period of five years will begin. As soon as possible, but not later than the third year after the beginning of the transitional period, negotiations will take place to determine the final status of the West Bank and Gaza. In this way, the Palestinians will participate in the determination of their own future.

Palestinians rejected the Camp David formula, stating that it denied them their inherent and natural rights including the right to self-determination, and that the formula was concluded without the participation of the Palestinian people and against its wishes. Agreeing to a five-year period of transition was regarded as bestowing legitimacy upon continued military occupation and as permitting Israel to change permanently the geographical and demographic nature of the occupied Palestinian territory. Also, there was no mention of the status of Jerusalem or the role of the Palestine Liberation Organization. The Camp David accords include three letters on Jerusalem stating the positions of Egypt, Israel and the United States in that regard.

The ninth Arab Summit Conference, convening in Baghdad from 2 to 5 November 1978, issued a statement that the two agreements signed at Camp David affect the rights of the Palestinian people, the Arab nation and the occupied Arab territories. The Summit Conference resolved not to agree on the two agreements and also rejected all effects resulting from them. Moreover, the Conference affirmed the Arab nation's commitment to a just peace based on the withdrawal of Israel from all Arab territories occupied in 1967, including Arab Jerusalem, and on the guaranteeing of the inalienable rights of the Arab Palestinian people and the setting up of their independent State on their national soil.

The General Assembly, in its resolution 34/65 B of 29 November 1979, declared that the Camp David accords and other agreements have no validity in so far as they purport to determine the future of the Palestinian people and of the Palestinian territories occupied by Israel since 1967. The General Assembly recalled and reaffirmed that, in order to be valid, any such agreements must be within the framework of the United Nations and

its Charter and its resolutions on the basis of the full attainment and exercise of the inalienable rights of the Palestinian people, including the right of return and the right to national independence and sovereignty in Palestine and with the participation of the Palestine Liberation Organization.

B. The invasion of Lebanon by Israel in 1982 and other acts of violence directed at Palestinians outside the occupied Palestinian territory

Tension along the Israel-Lebanon border increased in 1972. Israel, which stated that it was acting in reprisal for raids carried out on its territory by Palestinian commandos from Lebanon, attacked Palestinian refugee camps in that country. In April of the same year, at the request of Lebanon and in accordance with a Security Council decision, a cease-fire observation operation was set up by the United Nations Truce Supervision Organization (UNTSO) in the Israel-Lebanon sector. Another United Nations peace-keeping force was set up in March 1978 after Israeli forces invaded southern Lebanon up to the Litani River following a Palestinian commando raid into Israel that had resulted in the death of 36 Israelis and 8 commandos. The Security Council called on Israel to cease immediately its military action against Lebanon's territorial integrity, which had involved the death of over 1,000 Lebanese and Palestinian civilians, and it established the United Nations Interim Force in Lebanon (UNIFIL) to confirm the withdrawal of Israeli forces, restore international peace and security and help the Lebanese Government re-establish its effective authority in the area. Israel, however, maintained control of a strip of land some five miles wide along the Israel-Lebanon border.

Tension increased again in the region during the period 1980 to 1982. Despite international protests, in July 1980 Israel incorporated East Jerusalem and, in December 1981, the Golan Heights of Syria. In July of that year, Israel launched a series of pre-emptive air strikes against Palestinian targets in Lebanon and the Palestine Liberation Organization fired shells and rockets from Lebanon on northern Israel. After large-scale Israeli bombing of Palestinian positions in southern Lebanon and of the Palestine Liberation Organization headquarters in the heavily populated area of downtown Beirut had killed over 300 persons and caused heavy

casualties, the Security Council, on 17 and 21 July 1981, unanimously expressed its deep concern at the extent of the loss of life and the scale of destruction.

A United States mediator negotiated with Israel and, indirectly, with the Palestine Liberation Organization a cease-fire, which came into effect on 24 July 1981. Attacks from Lebanon abated. Two commando operations were launched from Jordanian territory on 11 August 1981 and 30 January 1982. Following Israeli air strikes of Palestine Liberation Organization bases near Beirut in April and May 1982 and the shelling of northern Israel by Palestine Liberation Organization forces from Lebanon, the attempted assassination in London of the Israeli ambassador to the United Kingdom on 3 June by a Palestinian group outside the Palestine Liberation Organization was considered by Israel as a violation of the cease-fire agreement and a justification for its large-scale invasion of Lebanon.

On 6 June 1982, after two days of intense exchanges of fire in southern Lebanon and across the Israel-Lebanon border, Israeli forces moved into Lebanese territory in strength, with the intent of establishing a large security zone in southern Lebanon. UNIFIL positions were overrun or bypassed and Israeli forces reached and surrounded Beirut, placing the city under siege.

Meeting throughout June, July and August 1982, while hostilities continued, the Security Council urgently called for an immediate halt to all military activities within Lebanon and across the border, demanded that Israel withdraw all its military forces forthwith and unconditionally to the internationally recognized boundaries of Lebanon, and called for respect for the rights of the Lebanese and Palestinian civilian populations in time of war. Instead, Israel subjected Beirut to heavy artillery fire, massive bombing raids and gradual occupation. On 1 August 1982, the Security Council authorized the Secretary-General to deploy United Nations military observers to monitor the situation in and around Beirut, and a cease-fire went into effect on 12 August.

Later that month, France, Italy and the United States entered into an agreement with Lebanon for participation of their troops in a multinational force to assist Lebanese armed forces in carrying out an orderly departure from Lebanon of Palestinian armed personnel in the Beirut area. The

evacuation of some 14,600 Palestinian armed elements from the Beirut area was completed on 1 September. The last elements of the multinational force were withdrawn on 13 September. Tension greatly increased the next day when Mr. Bashir Gemayel, the President-elect of Lebanon, and several others were killed in a bomb explosion in Beirut. The following day, 15 September, Israeli units took up new positions in the area. The Security Council unanimously condemned the Israeli incursions into Beirut in violation of cease-fire agreements and its resolutions and demanded that Israel return immediately to its pre-15 September positions.

On the evening of 16 September 1982, Lebanese armed elements entered the Sabra and Shatila Palestinian refugee camps in the suburbs of Beirut, then under Israeli occupation. On 18 September, observers reported finding hundreds of massacred men, women and children, some of them mutilated, many of them apparently killed while trying to escape. Homes had been blown up with their occupants still inside and there also appeared to be a mass grave on the perimeter of one of the refugee camps. The Security Council and, during a meeting of its seventh emergency special session, the General Assembly condemned what was termed the "criminal" massacre of Palestinian civilians in Beirut.

The withdrawal of Israeli forces from the Beirut area began in late July 1983. Fighting, however, continued. The Security Council requested the parties concerned immediately to accept a cease-fire and invited them to settle their differences exclusively by peaceful means. On 20 December, Mr. Yasser Arafat, Chairman of the Executive Committee of the Palestine Liberation Organization, and about 4,000 Palestinians embarked from the northern Lebanese port of Tripoli aboard Greek ships. The Secretary-General, after consultations with the members of the Security Council, agreed to the request that a United Nations flag be flown over the evacuation ships as a humanitarian gesture.

The Palestine Liberation Organization headquarters was re-established in Tunis, then the location of the headquarters of the League of Arab States. Twice in the following years Israel launched attacks against the Palestine Liberation Organization presence there. In its resolution 573 (1985) of 4 October 1985, the Security Council condemned vigorously the act of armed aggression perpetrated by Israel against Tunisian territory on 1 October 1985, having noted with concern that the Israeli attack had caused heavy loss of human life and extensive

material damage. Following the new act of aggression committed on 15 April 1988 against the sovereignty and territorial integrity of Tunisia, causing the loss of human life, particularly the assassination of Mr. Khalil El Wazir, second-in-command at the Palestine Liberation Organization, the Security Council, in its resolution 611 (1988) of 25 April 1988, condemned vigorously that aggression and urged Member States to take measures to prevent such acts.

Meanwhile, on 13 February 1987, in a statement by the President of the Security Council, the members of the Council expressed their profound concern at the continued escalation of violence in certain parts of Lebanon, affecting the civilian population, particularly in and around Palestinian refugee camps. The members called on the parties concerned to observe an immediate cease-fire and to permit access to those camps for humanitarian purposes. During the following days food aid reached the Palestinians.

Despite international demands for the unconditional withdrawal of all Israeli forces from all Lebanese territory, Israel has maintained its occupation of parts of southern Lebanon as a security zone, where it supports Lebanese de facto forces, the so-called "South Lebanon Army". UNIFIL has remained unable to extend its area of operation up to the armistice demarcation line, as envisaged in Security Council resolution 425 (1978) of 19 March 1978. In view of this unstable situation, the Security Council has continued to extend the mandate of UNIFIL every six months. Throughout the 1980s, the General Assembly has condemned Israel's aggression, policies and practices against the Palestinian people in the occupied Palestinian territory and outside that territory.

C. The call for the convening of an international peace conference on the Middle East

During the period under consideration, 1979-1990, several proposals emerged aimed at bringing about peace in the Middle East, including the call for the convening of an international peace conference. The Security Council remained, however, unable to advance towards a comprehensive settlement of the Arab-Israeli conflict. Also, it did not address the recommendations for a solution of the question of Palestine made by the

Committee on the Exercise of the Inalienable Rights of the Palestinian People in its first report in 1976, focusing on the rights of return and to self-determination, national independence and sovereignty. On 28 July 1982, a draft resolution submitted by Egypt and France reaffirmed the right of all States in the region to existence and security in accordance with Security Council resolution 242 (1967) as well as the legitimate national rights of the Palestinian people, including the right to self-determination with all its implications. The draft was not put to the vote and the Council remained unable to agree to the recognition of Palestinian national rights as a necessary element of a peace settlement.

On 1 September 1982, Mr. Ronald Reagan, President of the United States, announced proposals for a peace initiative based on the "land for peace" formula reflected in Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973. It envisaged self-government by the Palestinians of the West Bank and the Gaza Strip, in association with Jordan, a freeze on Israeli settlements and an undivided Jerusalem whose final status should be decided through negotiations. On 2 September the Israeli Cabinet issued a statement rejecting point-by-point these proposals. Palestinians and Arab States regarded the Reagan Plan as falling short of ensuring the exercise by the Palestinian people of its inalienable rights in Palestine.

On 9 September 1982, the twelfth Arab Summit Conference, held in Fez, Morocco, adopted a peace plan for the Middle East which included the following principles:

(a) The withdrawal of Israel from all the Arab territories occupied by it in 1967, including Arab Jerusalem;

(b) The dismantling of the settlements established by Israel in the Arab territories since 1967;

(c) The guaranteeing of freedom of worship and performance of religious rites for all religions in the Holy Places;

(d) The reaffirmation of the right of the Palestinian people to self-determination and to the exercise of its inalienable and imprescriptible national rights, under the leadership of the Palestine Liberation

Organization, its sole and legitimate representative, and the indemnification of those who do not desire to return;

(e) The placing of the West Bank and the Gaza Strip under the supervision of the United Nations for a transitional period not exceeding a few months;

(f) The establishment of an independent Palestinian State with Jerusalem as its capital;

(g) The establishment by the United Nations Security Council of guarantees of peace between all States of the region, including the independent Palestinian State; and

(h) The guaranteeing by the Security Council of the implementation of these principles.

The Extraordinary Arab Summit Conference, held in Algiers from 7 to 9 June 1988, stressed once again that the principles adopted by the Arab summit conferences during the 1980s, particularly those contained in the resolutions of the 1982 Fez Summit Conference, constituted a basis for the resolution of the Arab-Israeli conflict and its core element, the question of Palestine. The Summit Conference of 1988 renewed its support for the convening of an international peace conference on the Middle East under the auspices of the United Nations, which had been proposed earlier in the decade by the Soviet Union, the International Conference on the Question of Palestine, and the General Assembly.

On 15 September 1982, Mr. Leonid Brezhnev, General Secretary of the Central Committee of the Communist Party of the Soviet Union and President of the Presidium of the Supreme Soviet of the USSR, in a speech recalled the Soviet proposal for convening an international conference on the Middle East, "with the participation of all interested parties - among which, of course, must certainly be the Palestine Liberation Organization, the sole legitimate representative of the Arab people of Palestine", put forward on 23 February 1981 at the Twenty-sixth Congress of the Communist Party of the Soviet Union. Mr. Brezhnev expressed the firm belief that a just and lasting peace in the Middle East should be based on principles such as the inadmissibility of the acquisition of foreign territories by aggression, leading to the withdrawal of Israel from all Arab territories

occupied since 1967, including Jerusalem; the exercise of the inalienable right of the Arab people of Palestine to self-determination and the establishment of its own independent State in the Palestinian territory; the safeguarding of the right of all States in the region to security, independent existence and development; the termination of the state of war and the establishment of peace between the Arab States and Israel; and the adoption of international guarantees for the peace settlement with, for example, the permanent members of the Security Council, or the Council as a whole, assuming the role of guarantors.

The General Assembly, for its part, continued in the 1980s its efforts to promote a settlement and to end Israeli occupation. The seventh emergency special session was convened in July 1980 in view of the Security Council's inability to act on the recommendations made by the Committee on the Exercise of the Inalienable Rights of the Palestinian People. The session was reconvened four times in 1982 in view of new grave developments such as the killing of two Arabs and desecration of the Al-Haram Al-Shareef in Jerusalem in April, the invasion of Lebanon by Israel in June, continual Israeli bombing of Beirut in August and the Sabra and Shatila Palestinian refugee camp massacre in September. The same year, the ninth emergency special session was convened following the annexation of the Golan Heights by Israel in December 1981.

The International Conference on the Question of Palestine was convened under the auspices of the United Nations at Geneva between 29 August and 7 September 1983, following a General Assembly decision of 1981 to hold an international conference on the question of Palestine in order to seek effective ways and means to enable the Palestinian people to exercise its inalienable rights in Palestine. The Conference focused the attention of the international community on the continuing struggle of the Palestinian people for its inalienable rights. In its Geneva Declaration on Palestine, the Conference called for the convening of an international peace conference on the Middle East, in conformity with guidelines summarized below:

(a) The attainment by the Palestinian people of its legitimate inalienable rights, including the rights to return, self-determination and establishment in Palestine of its own independent State;

(b) The right of the Palestine Liberation Organization, the representative of the Palestinian people, to participate on an equal footing with other parties in all efforts, deliberations and conferences on the Middle East;

(c) The need to secure Israeli withdrawal from the territories occupied since 1967, including Jerusalem;

(d) The need to oppose Israeli practices in the occupied territories, including Jerusalem, particularly the establishment of settlements, that are contrary to international law and relevant United Nations resolutions;

(e) The need to reaffirm as null and void all legislative and administrative action taken by Israel regarding Jerusalem;

(f) The right of all States in the region to existence within secure and internationally recognized boundaries, with justice and security for all the people, including the Palestinian people.

On 13 December 1983, the General Assembly adopted resolution 38/58 C endorsing the Geneva Declaration on Palestine and its call for convening an international peace conference on the Middle East, in conformity with the guidelines contained in the Declaration. The General Assembly invited all parties to the Arab-Israeli conflict, including the Palestine Liberation Organization, as well as the United States of America, the Union of Soviet Socialist Republics and other concerned States, to participate in the Conference on an equal footing and with equal rights. Also, the General Assembly invited the Security Council to facilitate the organization of the Conference and requested the Secretary-General to report on his efforts in that regard.

At the beginning of 1984, following consultations with the Security Council, the Secretary-General addressed letters to the States members of the Council, the parties to the conflict, and the Palestine Liberation Organization to ascertain their views on all issues relevant to the organization and convening of the proposed International Peace Conference on the Middle East, including the identification of participants. After a visit to the Middle East in June 1984, the Secretary-General reported in September that from the replies he had received and the discussions he had held with the Governments, organizations and authorities concerned, it was

evident that the convening of such an international conference would require, in the first place, the agreement in principle of the parties directly concerned, as well as of the Soviet Union and the United States, to participate in the Conference. The Secretary-General also stated that the Governments of Israel and the United States were not, at the time, prepared to participate in the proposed peace conference.

During the 1980s the General Assembly has reaffirmed, with increasing support, the call for convening the proposed Conference. The need for such a Conference was also recognized in proposals made by member States of the United Nations, intergovernmental organizations as well as scores of non-governmental organizations (NGOs). Since 1986, the General Assembly has endorsed the call for setting up a preparatory committee, within the framework of the Security Council and with the participation of the Council's permanent members, to take the necessary action to convene an international peace conference. Owing to the negative attitude of some Member States, so far, neither the proposed preparatory committee nor the conference has been established.

On 15 December 1988 the General Assembly, meeting at Geneva to permit Mr. Yasser Arafat, Chairman of the Executive Committee of the Palestine Liberation Organization, to attend, expressed unprecedented support for the convening of the proposed peace conference. General Assembly resolution 43/176, adopted by a vote of 138 in favour to 2 against, with 2 abstentions, called for the convening of the International Peace Conference on the Middle East, under the auspices of the United Nations, with the participation of all parties to the conflict, including the Palestine Liberation Organization, on an equal footing, and the five permanent members of the Security Council, based on Security Council resolutions 242 (1967) and 338 (1973) and the legitimate national rights of the Palestinian people, primarily the right to self determination, and affirmed the following principles for the achievement of comprehensive peace:

(a) The withdrawal of Israel from the Palestinian territory occupied since 1967, including Jerusalem, and from the other occupied Arab territories;

(b) Guaranteeing arrangements for security of all States in the region, including those named in resolution 181 (II) of 29 November 1947, within secure and internationally recognized boundaries;

(c) Resolving the problem of the Palestine refugees in conformity with General Assembly resolution 194 (III) of 11 December 1948, and subsequent relevant resolutions;

(d) Dismantling the Israeli settlements in the territories occupied since 1967;

(e) Guaranteeing freedom of access to holy places, religious buildings and sites.

The resolution noted the expressed desire and endeavours to place the Palestinian territory occupied since 1967, including Jerusalem, under the supervision of the United Nations for a limited period, as part of the peace process. On 6 December of 1989, an overwhelming majority of 151 of 159 Member States voted for resolution 44/42, calling once again, in the language of the year before, for the convening of the proposed International Peace Conference on the Middle East.

Throughout the decade, the United States and Israel have continued to reject General Assembly resolutions calling for the convening, under United Nations auspices, of the proposed peace conference. Israel has called for direct negotiations as the most promising framework to advance the peace process in the Middle East. During the 1980s, the General Assembly has repeatedly expressed its regret at the continued negative response of the United States and Israel to the proposed Conference. On 20 December 1990, the President of the Security Council made a statement reflecting the agreement among the members of the Council regarding the method and approach for a comprehensive, just and lasting peace. In their view, an international conference, at an appropriate time, properly structured, should facilitate efforts to achieve a negotiated settlement.

The Committee on the Exercise of the Inalienable Rights of the Palestinian People emphasized on many occasions that urgent positive action by the Security Council was required on the recommendations made by the Committee in 1976, as well as on the recommendations adopted by the International Conference on the Question of Palestine held at Geneva

in 1983. As the 1980s came to a close, the Committee had endorsed repeatedly the call for convening an international peace conference. Further, in view of the violent events unfolding in the occupied Palestinian territory in connection with the *intifadah*, the Committee urged the Governments of Israel and the United States to reconsider their respective positions regarding the convening of the proposed International Peace Conference and join the virtually unanimous world community represented in the General Assembly to promote peace in the Middle East through such a framework, under the auspices of the United Nations.

D. Decisions of the Palestine National Council in 1988

Following the eruption of the Palestinian popular uprising, the *intifadah*, in December 1987 and King Hussein's declaration on 31 July 1988 concerning the disengagement of Jordan's legal and administrative ties with the West Bank, occupied by Israel since 1967, the Palestine National Council held its nineteenth extraordinary session in Algiers from 12-15 November 1988. Two documents were adopted, the Political Communiqué of the Palestine National Council and the Proclamation of Independence of the State of Palestine. Also, a decision was taken to set up the provisional government of Palestine whose functions would be carried out for the time being by the Executive Committee of the Palestine Liberation Organization. The Political Communiqué affirmed the determination of the Palestine National Council to reach a comprehensive political settlement on the question of Palestine within the framework of the Charter and resolutions of the United Nations, international law and the resolutions of the Arab Summit Conferences. Through the adoption of the Political Communiqué, the Palestine National Council advocated the implementation of several measures it considered fundamental for advancing the peace process, including the convening of the proposed International Peace Conference on the Middle East, under the auspices of the United Nations. Through the Proclamation of Independence, the Palestine National Council announced the establishment of the State of Palestine with Jerusalem as its capital, under the provisions of international law, including General Assembly resolution 181 (II) of 1947, which had provided for the partition of Palestine into an Arab State and a Jewish State and a special international regime for the City of Jerusalem.

The Proclamation of Independence of the State of Palestine has since been recognized by about 100 States in Africa, Asia, Europe and Latin America. The General Assembly acknowledged in its resolution 43/177 of 15 December 1988 the proclamation of the State of Palestine by the Palestine National Council and affirmed the need to enable the Palestinian people to exercise sovereignty over its territory occupied since 1967. Also, the General Assembly decided that the designation "Palestine" should be used in place of the designation "Palestine Liberation Organization" in the United Nations system, without prejudice to the observer status and functions of the Palestine Liberation Organization within the United Nations system.

The General Assembly considered the agenda item "Question of Palestine" from 13 to 15 December 1988 at Geneva in order to give Mr. Yasser Arafat, Chairman of the Executive Committee of the Palestine Liberation Organization, who had not received a visa to enter the United States, an opportunity to address the Assembly. Mr. Arafat presented to the General Assembly the Palestinian peace initiative, including the following elements: first, a serious effort should be made to convene, under the supervision of the Secretary-General, the preparatory committee of the proposed International Peace Conference on the Middle East. Secondly, on the basis of the Palestinians' belief in international legitimacy and the vital role of the United Nations, actions should be undertaken to place the occupied Palestinian territory under temporary United Nations supervision, and international forces should be deployed there to protect the Palestinian people and to supervise the withdrawal of the Israeli forces. Thirdly, the Palestine Liberation Organization would work for the achievement of a comprehensive settlement among the parties to the Arab-Israeli conflict, including the State of Palestine, Israel and the other neighbouring States, within the framework of the proposed International Peace Conference on the Middle East and on the basis of Security Council resolutions 242 (1967) and 338 (1973), so as to guarantee equality and a balance of interests, especially the Palestinian people's rights to freedom and national independence, and respect for the right of all the parties to exist in peace and security.

On 14 December 1988, Mr. Arafat gave a news conference at which he reiterated elements of his speech made before the General Assembly. His statement included the following, as despatched by Reuters the same day:

"In my speech also yesterday, it was clear that we mean our people's rights to free and national independence, according to resolution 181, and the right of all parties concerned in the Middle East conflict to exist in peace and security, and, as I have mentioned, including the State of Palestine, Israel and other neighbours, according to the resolutions 242 and 338.

"As for terrorism, I announced it yesterday in no uncertain terms, and yet, I repeat for the record. I repeat for the record that we totally and absolutely renounce all forms of terrorism, including individual, group and state terrorism."

Mr. Arafat's statements at the news conference were welcomed by the delegations attending the General Assembly session at Geneva. Following Mr. Arafat's news conference, Mr. Reagan authorized on the same day the State Department to enter into substantive dialogue with Palestine Liberation Organization representatives, as the Palestine Liberation Organization had met the conditions the United States had long required for such a dialogue. In June 1990, following an attempt to land on Israeli beaches by a group of Palestinian guerrillas, the United States suspended its dialogue with the Palestine Liberation Organization. Since then, the firm hope was expressed by participants in meetings convened under the auspices of the Committee on the Exercise of the Inalienable Rights of the Palestinian People that ways would soon be found of resuming the dialogue and expanding its scope to the consideration of substantive issues in a constructive manner. This hope was also expressed by the Committee in its 1990 report to the General Assembly.

E. Efforts in 1989 towards a negotiated settlement of the question of Palestine

The *intifadah* and the political developments of 1988 created a new momentum in efforts to advance towards a peaceful settlement of the question of Palestine. A number of new proposals were made in the course of 1989 aiming particularly at bringing the parties to the conflict together in a direct negotiating process, which was seen by some as a

possible means of paving the way for the holding of a comprehensive peace conference on the Middle East.

Speaking in Cairo on 23 February 1989, Mr. Eduard A. Shevardnadze, Minister for Foreign Affairs of the USSR, outlined the Soviet Government's perspective on the overall context of the conflict in the Middle East and means to resolve it. The steps proposed by Mr. Shevardnadze included the following: (a) informal consultations among the five permanent members of the Security Council, and a multilateral and bilateral dialogue of the parties concerned with reaching a settlement, would be carried out either directly or through intermediaries to reach a definite understanding concerning the basic parameters of an international conference on the Middle East; (b) some questions of principle would have to be settled, for instance the political and legal basis of such a conference and the participation of Palestinians; (c) an agreement must be secured from the Government of Israel to enter into dialogue with the Palestine Liberation Organization; and (d) meetings must be held between high-level representatives of Egypt, Jordan, Lebanon, Syria and the Palestine Liberation Organization to advance efforts for the early convening of the conference.

On 14 May 1989, the Government of Israel adopted a peace initiative which contained the following subjects to be dealt with to promote a comprehensive settlement of the Arab-Israeli conflict: (a) the continuation of the peace process based on the Camp David accords; (b) the establishment of peace relations between Israel and those Arab States which still maintain a state of war with it; (c) an international endeavour to resolve the problem of the residents of the refugee camps in the West Bank and Gaza Strip; and (d) the holding of free and democratic elections among the Palestinians of the West Bank and Gaza Strip in an atmosphere devoid of violence, threats and terror. The initiative envisaged two stages, a five-year transitional period for the implementation of an interim agreement and the implementation of a permanent solution. The initiative is founded upon the assumption that there is a national consensus for it on the basis of the basic guidelines of the Government of Israel, including the following points:

(a) Israel yearns for peace and the continuation of the political process by means of direct negotiations based on the principles of the Camp David accords.

(b) Israel opposes the establishment of an additional Palestinian State in the Gaza District and in the area between Israel and Jordan.

(c) Israel will not conduct negotiations with the Palestine Liberation Organization.

(d) There will be no change in the status of what the Israeli Government termed "Judea", "Samaria" and Gaza other than in accordance with the basic guidelines of that Government.

On 22 May 1989, Mr. James Baker, United States Secretary of State, outlined in his remarks before the thirtieth annual policy conference of the American Israel Public Affairs Committee (AIPAC) four principles for advancing the peace process in the Middle East:

(a) The object of the peace process is a comprehensive settlement achieved through negotiations based on Security Council resolutions 242 (1967) and 338 (1973), involving territory for peace, security and recognition of Israel and all the States of the region, and Palestinian political rights;

(b) The parties to negotiations must deal directly with each other (A properly structured international conference was regarded as useful at an appropriate time, but only if it did not interfere with or in any way replace or substitute for direct talks.);

(c) The need for a transitional period so as to reach a final settlement;

(d) The understanding that in advance of direct negotiations no party can or will dictate an outcome.

On that occasion Mr. Baker also said that the United States did not support annexation or permanent Israeli control of the West Bank and Gaza Strip, nor did it support the creation of an independent Palestinian State. He stated that the United States had a formula aiming at self-government for Palestinians in the West Bank and Gaza in a manner acceptable to Palestinians, Israel and Jordan. Further, the Secretary of State called upon Israel to lay aside, once and for all, the unrealistic vision of a Greater

Israel, forswear annexation, stop settlement activity and reach out to the Palestinians as neighbours who deserved political rights.

The European Council met at the level of Heads of State or Government in Madrid on 26 and 27 June 1989 and adopted a declaration on the Middle East. The Twelve reiterated their position on the Middle East conflict reflected in the Venice Declaration of 13 June 1980 and subsequent declarations. The position of the Twelve consists of upholding the right to security of all States in the region, including Israel, justice for all the peoples of the region and the recognition of the legitimate rights of the Palestinian people, including its right to self-determination with all that this implies. The Twelve believed that these objectives should be achieved by peaceful means in the framework of an international peace conference under the auspices of the United Nations, as the appropriate forum for direct negotiations between the parties concerned, and that the Palestine Liberation Organization should participate in this process.

The European Council welcomed the proposal made earlier in the year for elections in the occupied territories as a contribution to the peace process provided that: (a) the elections are set in the context of a process towards a comprehensive, just and lasting settlement of the conflict; (b) the elections take place in the occupied territories, including East Jerusalem, under adequate guarantees of freedom; and (c) no solution is excluded and the final negotiations take place on the basis of Security Council resolutions 242 (1967) and 338 (1973), based on the principle of "land for peace". The Twelve reaffirmed their fundamental positions and concerns in statements on the Middle East made in Strasbourg, France, on 9 December 1989 and Dublin, Ireland, on 26 June 1990, which also expressed their resolve to step up their already significant support for the protection of the human rights of the population of the occupied territory.

Mr. Yasser Arafat, Chairman of the Executive Committee of the Palestine Liberation Organization, stated on 25 July 1989, during a meeting in Addis Ababa with the Middle East News Agency and Egyptian newspaper editors that the example of Namibia should be followed to resolve the Palestine problem. In particular, (a) a partial withdrawal of Israeli forces from Palestinian territories should be secured; (b) a timetable should be drawn up for the complete withdrawal of Israeli troops in stages over a period of 27 months; (c) elections should be held and supervised by the United Nations; (d) refugees and deportees should be

permitted to return to the West Bank and Gaza; and (e) a date for independence should be determined. On 27 July 1989, during his talks in Cairo with Mr. Hosni Mubarak, President of the Arab Republic of Egypt, Mr. Arafat indicated that he was prepared to meet with any Israeli official, whether in Egypt or elsewhere, to discuss the situation in the Middle East. The same day, The New York Times reported that the Palestine Liberation Organization commented on the Israeli initiative, in particular the election plan, as follows: (a) the residents of Arab East Jerusalem must be allowed to take part in the elections; (b) elections candidates must be assured freedom of speech and given immunity from prosecution; (c) on the day of voting, the Israeli army must be withdrawn from population centres to pre-determined areas; (d) teams of Egyptians and Americans would serve as elections observers; and (e) before elections are held, Israel would have to agree in principle that it is willing to give up territory.

In September 1989 the Government of Egypt proposed conditions in connection with the Israeli proposal for elections. These conditions included the following: (a) all Palestinians in the West Bank, the Gaza Strip and East Jerusalem should be allowed to vote and run for office; (b) candidates should be free to campaign without interference from the Israeli authorities; (c) Israel should allow international supervision of the elections process; (d) Israel should make a commitment in advance that it will accept the results of the elections; (e) commitment of Israel that the elections will be part of the efforts which will lead not only to an interim phase, but also to a final settlement based on Security Council resolutions 242 (1967) and 338 (1973), territory for peace, ensuring the security of all States of the region, including Israel, and Palestinian political rights; (f) the Israeli army would withdraw from the area of polling places on elections day; (g) only Israelis who live or work in the occupied territories would be permitted to enter there on elections day; (h) preparations for the elections should not take longer than two months (Egypt and the United States could help form the Israeli-Palestinian committee to be engaged in the preparatory work.); (i) the United States and Israel should publicly guarantee Israel's adherence to the plan; and (j) a halt to settlements.

Despite numerous efforts and proposals to bring together the parties directly concerned with the resolution of the question of Palestine, by the end of 1990 a consensus regarding the modalities to start the desired negotiation process was lacking. On 12 November 1990, in his report to

the General Assembly and the Security Council, the Secretary-General observed the following:

> "... I am deeply concerned by the absence, at present, of any diplomatic process aimed at overcoming the obstacles to an effective negotiating process in the Middle East. Regrettably ... bilateral efforts to promote a dialogue between Israelis and Palestinians have reached an impasse. As for the parties themselves, while it is possible to identify in each of their notes to me a willingness to achieve a settlement through negotiations, it is evident that there is a divergence of views as to the framework and the context within which such negotiations should take place."[2]

As referred to earlier, on 20 December 1990, the President of the Security Council made a statement indicating the agreement among the members of the Council that an international conference, at an appropriate time, properly structured, should facilitate efforts to achieve a negotiated settlement and lasting peace in the Arab-Israeli conflict. On the same day, in the context of the question of safety and protection of the Palestinian people in the Palestinian territory occupied by Israel since 1967, including Jerusalem, the Security Council unanimously adopted resolution 681 (1990) which took into consideration the Presidential statement concerning the method and approach for a comprehensive, just and lasting peace in the Arab-Israeli conflict.

II. Israeli occupation and the Palestinian struggle for self-determination

During the 1980s, the General Assembly and Security Council repeatedly affirmed that the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 1949, the Fourth Geneva Convention, is applicable to the Palestinian territory occupied by Israel since 1967, including Jerusalem. So far, no mechanism has been devised to ensure there respect for the Convention and the relevant provisions of international customary and humanitarian law.

The Fourth Geneva Convention stipulates, for instance, that, under conditions of armed conflict and military occupation, persons taking no active part in the hostilities shall in all circumstances be treated humanely; no physical or moral coercion shall be exercised against protected persons; and collective penalties, pillage, reprisals against protected persons and their property, individual or mass forcible transfers as well as deportations of protected persons from occupied territory are prohibited. Article 49 of the Convention states that the occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies. Article 50 stipulates that the occupying Power shall facilitate the proper working of all institutions devoted to the care and education of children and article 56 refers to the duty of the occupying Power of ensuring and maintaining medical services and public health. In the economic sphere, according to article 53, any destruction by the occupying Power of property is generally prohibited and article 55 states that the occupying Power shall make arrangements to ensure that fair value is paid for any requisitioned goods. Article 52 of the Fourth Geneva Convention concludes that all measures aiming at creating unemployment or at restricting the opportunities offered to workers in an occupied territory, in order to induce them to work for the occupying Power, are prohibited.

Since June 1967, when the Israeli occupation of the West Bank and Gaza Strip, including Jerusalem, began, the Security Council has recommended to the Governments concerned that they scrupulously respect the humanitarian principles governing the treatment of prisoners of war and the protection of civilian persons, contained in the Geneva Conventions of 12 August 1949. On 7 December 1973, the General Assembly affirmed that the Fourth Geneva Convention applies to the Arab territories occupied

by Israel since 1967. On 26 May 1976 the President of the Council made a statement that, after having consulted all the members of the Security Council, he had concluded that the majority of the members agreed that the Fourth Geneva Convention is applicable to the Arab territories occupied by Israel since 1967.

Throughout the decade, the Security Council and the General Assembly have reaffirmed the applicability of the Fourth Geneva Convention to the occupied Palestinian territory, called upon Israel, the occupying Power, to desist from its policies and practices that are in violation of the provisions of the Fourth Geneva Convention and censured the refusal by Israel to comply with relevant resolutions. For instance, the Security Council, in resolution 446 (1979) of 22 March 1979, strongly deplored the failure of Israel, a High Contracting Party to the Fourth Geneva Convention, to abide by a number of such relevant resolutions and the consensus statement made by the President of the Council on 11 November 1976, which had reaffirmed the applicability of the Convention to the Arab territories occupied by Israel since 1967. Resolution 452 (1979) of 20 July 1979 strongly deplored the failure of Israel to cooperate with the Council in the examination of the situation relating to Israeli settlements in the Arab territories occupied since 1967, including Jerusalem. On 1 March 1980, the Security Council strongly regretted the formal rejection by Israel of these two resolutions.

The spokesman of the Permanent Mission of Israel to the United Nations in New York, on 1 November 1990, issued a statement indicating that the status of what he termed "the areas of Judea and Samaria (the West Bank)" and Gaza is not clear under international law and the Geneva Convention regarding occupied territory does not legally apply. The statement confirmed that Israel prefers to leave aside the legal question of the status of these areas and has decided, since 1967, to act de facto in accordance with the humanitarian provisions of that Convention. Under established rules of international law Israel has the sole responsibility for the administration of these areas, including the duty to maintain law and order. This responsibility is not subject to review or intervention by other authorities, concluded the statement.

A. Consolidation of military occupation

Through its continued firm grip on the Palestinian body politic, restrictions on the economy, seizure of land and water resources, establishment and expansion of settlements and preferential treatment of Israeli settlers, between 1979 and 1990 Israel has consolidated its military occupation of the West Bank and Gaza Strip. The international community has censured in strongest terms all actions altering the character or status of the occupied Palestinian territory, and called for the withdrawal of Israel from the Palestinian territory occupied since 1967, including Jerusalem.

An increasingly elaborate system of military orders and administrative arrangements have prevented the Palestinian people from determining in the occupied territory the working of its political and judicial systems; functioning of schools and universities; provision of public services; use of natural resources; and course of its economic development. Policy-making and planning for the development of the occupied territory have remained thoroughly insulated from Palestinian participation. A dual system of law was imposed, featuring especially since 1984 the extension of Israeli law to Israeli settlers in the occupied Palestinian territory and the continued application of occupation law to Palestinians. The provision of public services and investments in infrastructure by the occupying Power were also becoming increasingly bisectoral, with a superior sector for Israeli settlers, and an inferior one for the Palestinian people.

Administrative changes of the late 1970s, including the extension of Israeli public services to the occupied Palestinian territory and the establishment of the so-called "civilian" administration there in 1981, have steadily subordinated to the Israeli public sector civilian matters such as the development of natural resources - land and water, agriculture and industry. Following military orders in 1979 and 1981, Israeli settlements, as well as their local authorities and regional councils, have come to be considered to fall under the Israeli system of governance. As the result of these and other administrative changes, the Israeli military authorities were freed to concentrate on the security aspects related to controlling the Palestinian civilian population.

According to Mr. Meron Benvenisti, an Israeli public policy expert, the process by which the military authorities have relinquished administrative responsibility for civilian matters in the West Bank since the early 1980s bears a striking resemblance to the integration process that evolved after the 1948 war in the areas under military rule in northern Palestine.[3] The Area of Jurisdiction and Powers Ordinance of 1948 had enacted that any law applying to the whole of the State of Israel shall be deemed to apply also to any part of Palestine proclaimed as being held by the Defence Army of Israel. In his written statement prepared for the hearing before the Subcommittee on Europe and the Middle East of the Committee on Foreign Affairs, House of Representatives, Washington, D.C., on 4 April 1990, Mr. Ian S. Lustick, professor of government, cited the results of what he considered a reliable survey of Israeli public opinion. The survey, listing various options for dealing with Palestinian Arabs, elicited a plurality (29.7 per cent) in favour of the most extreme solution - mass deportations - while 42.9 per cent described such a policy as "acceptable". These developments contributed to recurring fears and public debates during the 1980s that the occupied Palestinian territory may be regarded as an integral part of Israel.

B. Israeli settlements and the status of Jerusalem

In the period from 1979 to 1990, the situation in the occupied Palestinian territory was especially aggravated by the implementation of Israeli laws and policies concerning Jerusalem occupied since 1967, including the construction of Israeli neighbourhoods, the influx of well over 100,000 settlers living in more than 200 Israeli settlements in the West Bank and Gaza, and the violence perpetrated by armed settlers against the civilian Palestinian population.[4] According to data published by Mr. Benvenisti, at the end of 1978 the number of Jewish settlers in the West Bank was 7,361; by 1980, over 10,000 settlers were permitted to live in the West Bank and in 1984, the growth alone exceeded 10,000 settlers. The United States State Department report of 19 March 1991 on Israeli settlement activity to the Congress of the United States details the following, as rendered in Report on Israeli Settlements of May 1991, published by the Washington-based Foundation for Middle East Peace: While the increase in the number of new settlements has fallen off substantially since 1984, the rate of construction of new housing units has

remained fairly consistent. Focus has been on the expansion of existing settlements, particularly in expanded East Jerusalem and the West Bank. Population figures appear to demonstrate that the expansion of Israeli presence in the occupied territories continues to grow at a faster rate than the number of new settlements would otherwise indicate. In its January 1991 Report on Israeli Settlements, the Foundation states that the current total of approximately 220,000 Israelis living in occupied territory (120,000 in East Jerusalem; 100,000 elsewhere) will almost double within three years if, as was estimated, immigration to Israel reaches 1 million persons and 15 per cent settle in the Palestinian territory occupied by Israel since 1967, including Jerusalem.

In 1979 action was taken by the Security Council and the General Assembly regarding the accelerated establishment, in contravention of international law and United Nations resolutions, of Israeli settlements in occupied territory. In resolution 446 (1979) of 22 March 1979, the Security Council determined that the policies and practices of Israel resulting in the establishment of settlements in the Palestinian and other Arab territories occupied since 1967 have no legal validity and constitute a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East. Through the same resolution, the Council established a Commission consisting of three of its non-permanent members, Bolivia, Portugal and Zambia, to examine the situation relating to settlements. Despite repeated appeals, the Commission was unable to obtain, in the fulfilment of its mandate, the cooperation of the Government of Israel. In its report of 12 July 1979 the Commission addressed the consequences of the Israeli settlement policy for the local Arab population, such as the displacement of the Arab population, seizure of land and water resources, destruction of houses, banishment of persons, continuous pressure to emigrate in order to make room for new settlers, as well as drastic and adverse changes to the economic and social pattern of the daily life of the remaining Arab population, changing profoundly the geographical and demographic nature of the affected territories in violation of the Fourth Geneva Convention. The Commission felt that the settlement policy was widely regarded as a most negative factor in the achievement of peace in the Middle East.

A second report of the Commission was submitted to the Security Council on 4 December 1979. In the conclusions contained in the report, the Commission wished to reiterate most emphatically its view that Israel's

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policy of settlement, relentlessly pursued in spite of all Security Council decisions and appeals, is incompatible with the pursuit of peace in the area and that it is bound to lead to a further deterioration of the situation in the occupied territories.

In its third report, dated 25 November 1980, the Commission reaffirmed the entirety of the conclusions contained in its two previous reports. Focusing on natural resources, the third report of the Commission concludes that available evidence shows that Israeli occupying authorities continued to deplete the natural resources, particularly water resources, in the occupied territories for their advantage and to the detriment of the Palestinian people. According to the report, it seems to the Commission that Israel employed water both as an economic and even political weapon to further its policy of settlements. This report was never considered by the Security Council.

Following Israel's occupation of Arab Jerusalem in 1967, numerous resolutions were adopted by the Security Council calling on Israel to refrain from changing the physical character, demographic composition, institutional structure and status of Jerusalem and declaring null and void any such measures taken by it. When legislative steps were taken by the Israeli Parliament to make a united Jerusalem the capital of Israel, the Security Council adopted resolution 476 (1980) of 30 June 1980 to forestall such legislation. After the enactment by the Israeli parliament of the "basic law" on Jerusalem on 30 July 1980, the Security Council adopted resolution 478 (1980) of 20 August 1980. The Security Council censured in the strongest terms the enactment of the "basic law" and the refusal by Israel to comply with relevant Security Council resolutions. The Council reiterated that all actions altering the status of the Holy City of Jerusalem are null and void, and called upon States that had established diplomatic missions in Jerusalem to withdraw such missions from the Holy City. The Europa World Year Book, 1990 lists the addresses of embassies of two countries in Jerusalem. The General Assembly, in its resolution 35/169 E of 15 December 1980, considered the enactment by Israel of the "basic law" on Jerusalem a violation of international law that does not affect the continued application of the Fourth Geneva Convention. This understanding has been reaffirmed in subsequent years, and the situation in Jerusalem has remained a matter of serious international concern.

Speaking at the opening of the Israeli parliament's summer session on 3 May 1982, Prime Minister Menachem Begin said that Israel would demand sovereignty over the occupied West Bank and Gaza Strip at the end of the five-year transition period envisaged by the Camp David accords and that no Israeli settlements there would be dismantled as a result of any future peace negotiations. The parliament passed a resolution, with a recorded vote of 58 to 54, approving the statement of the Prime Minister, who had originally planned to submit a resolution that would have barred the dismantling of Israeli settlements in connection with any future peace treaties. Israeli officials acknowledge, as stated in the United States Government report of 1989 entitled "Country reports on human rights practices for 1988", that family reunification is limited for demographic and political reasons and assert that the laws of occupation do not require Israel to permit the immigration of Palestinians into the territories; restrictions on residence, return and family reunification do not apply to Jews, whether or not they are Israeli citizens.

In the late 1980s, the situation in the occupied Palestinian territory was exacerbated by the large-scale immigration of Jews from the Soviet Union and elsewhere to Israel. Over 180,000 new immigrants reportedly reached Israel in 1990. The international community was concerned that the Government of Israel would direct large numbers of these immigrants to the occupied Palestinian territory, including Jerusalem, or cause equally large numbers of Israelis to settle there. A remark made by Mr. Yitzhak Shamir, Prime Minister of Israel, on 15 January 1990, regarding the need for a "big Israel" required by the large number of expected immigrants, caused apprehension. According to recurrent reports in the Israeli media during March and April 1991, the Israeli government expenditures relating to the occupied Palestinian territory budgeted for the fiscal year 1990-1991 were much larger than those of previous years. For instance, the budget component of the Construction and Housing Ministry earmarked for the West Bank and Gaza Strip exceeds 1.1 billion new shekels (approximately half a billion United States dollars). The New York Times of 24 April 1991 reports that over 20 per cent of that Ministry's entire budget is being spent on settlement activity in the occupied Palestinian territory, even though only some 2 per cent of Israelis reside there.

On 15 March 1990, the Security Council began consideration of "unlawful Israeli moves to settle the occupied territories" in response to a request by the Soviet Union. The request, contained in a letter to the

President of the Security Council dated 12 February 1990, stated that these settlement actions by the Israeli Government ran counter to the Fourth Geneva Convention, which precludes any changes in the demographic structure of the occupied territories, and obstructed the peace effort in the Middle East. During March and May, the Council held six meetings on the settling of recent immigrants in the occupied Palestinian territory and adjourned its meeting on 3 May without taking any action regarding this matter.

C. Acquisition of land and water resources

Land and water are basic natural resources of the occupied Palestinian territory. By the mid-1980s, approximately half of the West Bank and some 40 per cent of the Gaza Strip were taken by the occupying Power for its own use or that of Israeli settlers. Since June 1967 the metropolitan area of Arab Jerusalem has been enlarged, incorporating a substantial part of the surrounding West Bank. As mentioned earlier, the expanded East Jerusalem was seized by Israel through legislative and administrative measures in July 1980, in defiance of Security Council resolutions.

The acquisition of land in the occupied Palestinian territory was carried out by the occupying Power through a variety of measures, including the requisition of land for military purposes, the declaring of land as "abandoned", the declaring of unregistered land as "state property", the designation of closed areas for military purposes and the confiscation of land for public purposes. At the same time, severe restrictions were imposed on land owned by Palestinians, which often prevented its cultivation, irrigation, or use for construction and industry. In this connection, Mr. Meron Benvenisti states the following:

> "Israeli land control measures reflect [an] explicit sectarian planning strategy. The criteria established to determine their spatial extent are strictly political. Israeli official blueprints refer to three major objectives: interconnection between existing Jewish areas in order to create continuity in Jewish settlement patterns; fragmentation

of Arab settlement blocs; and encouragement of new Jewish settlement blocs.

"Palestinian regions and land use are regarded as constraints. Land control measures are intended both to encircle Arab areas and penetrate them by long strips of 'prohibition on building' areas. Road networks are designed to bypass Arab population centres, but also to fragment and dissect Arab settlement regions. In fact, the orders prohibiting building confine the Palestinian population to rigid 'boxes' which prevent natural expansion."[5]

In addition to the above-mentioned actions taken by the Security Council and the General Assembly regarding Israeli settlements, on many occasions the General Assembly has strongly condemned the confiscation and expropriation of private and public Arab property and all other transactions for the acquisition of land in the occupied Palestinian territory.

During the period from 1979 to 1990, the occupying Power continued to deplete, divert and restrict the use of water resources in the occupied Palestinian territory for the benefit of Israel and its settlements. Control over the use of Palestinian water resources was exercised, for instance, by restricting the number and depth of wells, limiting planting and irrigation and enforcing discriminatory pricing policies. In agriculture, Palestinians were permitted to use only the amount of water allocated for that purpose in 1967. The restrictions on water use in the occupied West Bank ensured the underground flow of water to Israel, supplying between 25 to 35 per cent of that country's annual water potential. The Israeli settlements in the occupied Palestinian territory, consuming per capita a multiple of the amount of water allocated to Palestinians, further contributed to the depletion of the water resources. As a consequence, the health, environment, agriculture and economy of the Palestinians were increasingly adversely affected. Moreover, once an underground freshwater system is contaminated as a result of overpumping, salinity and pollution, it is practically impossible to restore such a destroyed resource. Under the prevailing critical conditions, Palestinians feared the permanent destruction of their fresh water resources.

JERUSALEM
OCCUPIED AND EXPANDED SINCE JUNE 1967
Giv'at Ze'ev
Mukhmás
Jaba'
Ar Rām
Biddū
Hizmá
Bayt Iksā
Anātā
Ramat Eshkol
Mount Scopus
Jerusalem
New City
Old City
Bet HaKerem
Ma'ale Adummim
Al 'Azariyah
Qiryat Ha Yovel
Abū Dīs
Meqor Hayyim
Bayt Safafa
Khirbat ash Shaykh Sa'd
Har Gilo
Bayt Jala
Bethlehem
The designations employed and the presentation of material on this map do not imply the expression of any opinion whatsoever on the part of the Secretariat of the United Nations concerning the legal status of any country, territory, city or area or of its authorities, or concerning the delimitation of its frontiers or boundaries.
Jerusalem municipal boundary 28 June 1967
East Jerusalem municipal boundary, May 1967
Armistice Demarcation Line, 1949

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While the Security Council was unable to consider the third report it had requested the Commission established under its resolution 446 (1979) to prepare, focusing on natural resources, particularly water resources, the General Assembly continued to express its long-standing concern regarding the permanent sovereignty over natural resources in the occupied Palestinian and other Arab territories. In its resolution 38/144 of 19 December 1983, the General Assembly condemned Israel for its exploitation of the natural resources of these territories and reaffirmed the right of the Palestinian people to the restitution and full compensation for the exploitation, depletion, loss of or damage to its resources. Regarding Israel's plan to build a canal linking the Mediterranean Sea to the Dead Sea, the General Assembly demanded that Israel not construct the canal and decided, in its resolution 40/167 of 16 December 1985, to resume consideration of this issue in case activities by Israel relating to the said canal are resumed. During the period from 1986 to 1990, no such consideration was required as the plan had apparently been postponed. According to the August 1990 issue of Innovation, a monthly report on industrial research and development and science-based industry in Israel, Mr. Yuval Neeman, Minister of Energy and Infrastructure and Minister of Science and Technology of the newly formed Government, called for the renewal of efforts towards the construction of a Mediterranean-Dead Sea canal.

D. Human rights violations

During the period from 1979 to 1990, the human rights situation in the occupied Palestinian territory deteriorated seriously as a result of the increasingly repressive measures taken by the occupying Power against the Palestinian population. Since 1967, Israeli policies and practices affecting the Palestinian population have been detailed in reports prepared by the United Nations, the United States Government, human rights groups and others. Repressive measures included the deportation of Palestinian civilians from the occupied territory and denial of their right to return; ill treatment and torture of Palestinians under detention, including children and minors; collective punishment and mass arrests; interference with the right to peaceful assembly and association, of the right to a fair trial, of the freedoms of speech, the press, expression and worship, and of the right not to be subjected to discrimination of any kind as to race, sex, language,

religion, political opinion or other status; demolition and sealing of houses; transformation of the Palestinian landscape and pillage of historical, cultural and religious sites, especially in Jerusalem; as well as interference with the system of education and the economic and social development of the Palestinian people. United Nations reports on the situation of the human rights of the population in the occupied territory reflected the view that occupation in itself constitutes a violation of the human rights of the civilian population, curtailing the exercise of the right of the Palestinian people to self-determination.

Throughout the 1980s, the General Assembly has reaffirmed on numerous occasions the inalienable right of all displaced inhabitants to return to their homes or former places of residence in the Palestinian territory occupied by Israel since 1967. Both the Security Council and the General Assembly have censured the changes made by the occupying Power to the legal status, geographical nature and demographic composition of any part of the occupied Palestinian territory. In addition, the General Assembly and the Security Council have responded to other particularly grave violations of human rights of the Palestinian population. For instance, after the Mayor of Hebron was prohibited by Israel from travelling in order to appear before the Security Council and later was expelled from the occupied Palestinian territory, the Council has, since May 1980, called repeatedly upon the Government of Israel to rescind the illegal measures taken by the Israeli military occupation authorities in expelling the Mayors of Hebron, the Mayor of Halhoul and the Sharia Judge of Hebron, and to facilitate the immediate return of the expelled Palestinian leaders. In June of the same year, the Security Council condemned the assassination attempts against the Mayors of Nablus, Ramallah and Al-Bireh and expressed deep concern that Israel has failed to provide adequate protection to the civilian population.

During the 1980s, the General Assembly also repeatedly strongly condemned the continued violation of human rights in the context of the importance of the universal realization of the right of peoples to self-determination, including violations connected to the detention of persons as a result of their struggle for self-determination. Reaffirming the legitimacy of the struggle for independence, the General Assembly strongly deplored, for instance, the extradition by the United States of a Palestinian national from occupied Palestinian territory, when it addressed, in the early

part of the decade, the question of human rights relating to the case of Mr. Ziad Abu Eain.

In view of the deteriorating situation in the occupied Palestinian territory, the continued failure to solve the question of Palestine and the inability of the Security Council to act upon the recommendations of the Committee on the Exercise of the Inalienable Rights of the Palestinian People endorsed by the General Assembly, the Assembly convened its seventh emergency special session. On 29 July 1980, the General Assembly reaffirmed that a comprehensive, just and lasting peace in the Middle East could not be established without the withdrawal of Israel from all the occupied Palestinian and other Arab territories, including Jerusalem, and without the achievement of a just solution of the problem of Palestine, on the basis of the attainment in Palestine of the inalienable rights of the Palestinian people. The General Assembly also reaffirmed the inalienable rights of the Palestinian people, including the rights of return, self-determination and an independent Palestinian State, and expressed its opposition to all policies and plans aimed at the resettlement of the Palestinians outside their homeland.

As a consequence of further grave developments affecting the security of Palestinians, including in Lebanon, the seventh emergency special session of the General Assembly was resumed four times in 1982, condemning Israel, the occupying Power, *inter alia*, for its disbanding of the elected municipal council of Al-Bireh, the dismissal of elected mayors, the violation of the sanctity of the Holy Places, particularly in Jerusalem, the killing and wounding of worshippers in Jerusalem on 11 April 1982, and the attacks against various civic and religious institutions in the occupied Palestinian territory.

Since August 1985, the human rights situation in the occupied Palestinian territory has deteriorated further as a result of the implementation of the "iron-fist" policy against Palestinian civilians, increased killing and wounding of Palestinian demonstrators, arbitrary "administrative" detention or imprisonment of hundreds of Palestinians, imposition and levy of heavy and disproportionate taxes and dues, and closure of offices of the Palestinian press and trade unions. In December 1986 and 1987, the Security Council strongly deplored those policies and practices of Israel which violate the human rights of the Palestinian people in the occupied territory, and in particular the opening of fire by the Israeli

army, resulting in the killing and wounding of defenceless Palestinian civilians, including students. During the *intifadah*, since December 1987, the Security Council and the General Assembly continued to be seized with the rapidly deteriorating human rights situation in the occupied Palestinian territory, in particular to prevent the deportation of Palestinians and further the protection of the Palestinian people, discussed in the next section.

In addition to efforts made by the Security Council and the General Assembly, between 1979 and 1990 other United Nations bodies have addressed the issue of human rights in connection with the question of Palestine. The responsibility for examining the human rights situation in the territory occupied by Israel since 1967 rests primarily with the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, established by the General Assembly in 1968 for this purpose. The General Assembly invited Israel to cooperate with the Special Committee, but Israel has so far refused to recognize its mandate and to extend any cooperation. The Special Committee investigates Israeli practices through testimony of persons with first-hand knowledge who appear before the Committee, and through reports available in the Israeli and other media.

The Special Committee concluded repeatedly during the 1980s that Israel is violating the provisions of the Universal Declaration of Human Rights, the Fourth Geneva Convention, the Hague Conventions, and relevant United Nations resolutions. In the view of the Special Committee, the persistent violation of human rights derives from the very fact of military occupation and a policy of colonization and annexation of occupied territories. The Palestinian people under occupation cannot expect to enjoy their fundamental rights so long as they are denied the right to self-determination. None is free to enjoy his rights if he is not himself directly or indirectly responsible and involved in the determination and the application of his rights and obligations as a citizen. In a situation of occupation, it is the occupying Power which dictates the limits of these rights.

The Commission on Human Rights, set up by the Economic and Social Council in 1946, has also condemned Israel's violation of human rights in the occupied territories. During the 1980s, the Commission declared in annual resolutions that Israel's breaches of the Fourth Geneva Convention are war crimes and an affront to humanity, and reaffirmed the

inalienable rights of the Palestinian people to self-determination without external interference and the establishment of a fully independent and sovereign State in Palestine. In 1990, the Commission adopted resolutions which, *inter alia*, condemned the policies and practices of Israel, the occupying Power, which violate the human rights of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and, in particular, such acts as the opening of fire by the Israeli army and settlers that result in the killing and wounding of defenceless Palestinian civilians, the imposition of restrictive economic measures, the demolition of houses, the ransacking of real or personal property belonging individually or collectively to private persons, collective punishment and detention, and the confiscation of the property of the inhabitants, including their bank accounts, as had then happened recently in the village of Beit Sahour.

As a follow-up to the world women's conferences held at Mexico City in 1975 and at Copenhagen in 1980, the Commission on the Status of Women began to address the issue of Palestinian women at its twenty-ninth session in 1982. On 4 May of that year, a resolution adopted by the Commission on the situation of women and children in the occupied Arab territories was endorsed by the Economic and Social Council. The resolution contains appeals to all women of the world to proclaim their solidarity with and support for the Palestinian women and people in their efforts to put an end to the flagrant violation by Israel of fundamental human rights in the occupied territories; to all States and international organizations to extend all moral and material assistance to the Palestinian and Arab women and people in their struggle for the restoration of their inalienable right to return to their homes and property; and to all women of the world to take the necessary measures to secure the release of thousands of persons, including women and children, fighters for the cause of self-determination, liberation and independence, held arbitrarily in the prisons of the occupying forces. Since 1982, the Commission on the Status of Women has expressed its grave concern that the Palestinian women and people continue to be denied their inalienable rights, in particular the right to national independence and sovereignty.

Meanwhile, the international women's conference held in Nairobi in July 1985 also addressed the question of human rights of the Palestinian people. The Nairobi Forward-Looking Strategies for the Advancement of Women adopted by the conference called for the implementation of the Programme of Action for the Achievement of Palestinian Rights, adopted

by the International Conference on the Question of Palestine at Geneva in 1983, with emphasis on the role of Palestinian women in preserving their national identity, traditions and heritage and in the struggle for sovereignty. It also called for international action aimed at enabling the Palestinian people to recover its rights in accordance with relevant United Nations resolutions, as well as for the adoption of measures to identify and meet the specific needs of Palestinian women and children.

During the period under consideration, the Committee on the Exercise of the Inalienable Rights of the Palestinian People has monitored the situation in the occupied Palestinian territory, including Jerusalem, on an ongoing basis, and reported to the General Assembly and the Security Council on the developments requiring immediate attention. A considerable amount of information on the situation in the occupied Palestinian territory has also been submitted by participants in seminars and NGO meetings organized by the Committee. The Committee has condemned the repressive policies and practices of Israel and has called for Israel's withdrawal from the occupied territory and for effective international protection of the Palestinian people, pending a settlement of the question of Palestine.

E. The *intifadah* and the need to ensure the protection of the Palestinians living under Israeli occupation

Conditions in the Palestinian territory of the West Bank and Gaza Strip, including Jerusalem, involving more than 20 years of military occupation, repression, expropriation and humiliation, contributed to the eruption of the Palestinian popular uprising, the *intifadah*, in December 1987. Palestinians from all walks of life, youth, merchants, labourers, women and children, have since been involved in massive demonstrations, economic boycotts, tax resistance and strikes protesting the continued military occupation of their land and demanding national independence.

Ever since Israeli military occupation started in June 1967, the grave situation in the occupied territory has led to frequent expressions of protest among the Palestinian population, which were met with harsh repressive measures. The accumulation, across generations, of personal distress, and

the adoption by the occupying Power of increasingly oppressive policies repeatedly provoked the population to defy the occupation authorities.

An unusually high degree of confrontation and repression defined the day-to-day lives of Palestinians in the occupied territory from the start of the *intifadah*. Severe measures, including the punitive breaking of bones and violent beatings, were adopted by the occupation authorities. As a result, approximately 1,000 Palestinians have been killed and tens of thousands injured. Thousands of Palestinians were detained, hundreds transferred to prisons in Israel, and many deported from the occupied Palestinian territory. Scores of homes were destroyed or sealed with concrete. The educational system came to a halt when schools and universities were closed for extended periods and informal teaching arrangements prohibited. Whole villages and regions were placed under curfew; retail, utility, health, financial and commercial services were curtailed as well as media and civic organizations outlawed. Tens of thousands of productive trees were uprooted and crops destroyed as collective punishment. In this situation, Palestinians attempted against all odds to survive economic strangulation through reliance on their community-based subsistence economy.

On the basis of information and evidence put before it, in 1989 the above-mentioned Special Committee to Investigate Israeli Practices noted that the situation in the occupied territory during the uprising was marked by a dangerous level of violence and repression, unprecedented in over 22 years of military occupation.

At the end of the 1980s, the Commission on Human Rights reaffirmed that the systematic and persistent practices of the Israeli occupation authorities, as reflected in the killing of Palestinians, including children; the breaking of bones; the subjection of towns, villages and refugee camps to living conditions intended to destroy their inhabitants through the imposition of curfews and military siege; the throwing of gas bombs into houses, mosques and hospitals; and the savage beatings and maltreatment of pregnant women constituted serious violations of the principles of international law, human rights and fundamental freedoms. The Commission condemned Israel for the obstruction of the education of thousands of students and pupils; the use of collective punishment; the ill-treatment and torture of large numbers of Palestinians detained in Israeli

prisons and in what it termed "concentration camps"; and the deportation and expulsion of Palestinians.

The Security Council, the General Assembly and the Secretary-General responded to the *intifadah*, in particular the repressive policies and practices of the occupying Power, with deep concern. Since the very beginning of the uprising, starting with Security Council resolution 605 (1987) of 22 December 1987, the question of the safety and protection of the Palestinian people in the occupied territory has received attention. In response to that Security Council resolution, with the concurrence of the Israeli authorities, in January 1988 the Secretary-General sent a representative to the region to examine the situation on the spot. The information conveyed in the subsequent report by the Secretary-General, of 21 January 1988 (S/19443), described Israeli and Palestinian perceptions of the serious situation prevailing in the occupied Palestinian territory. The Israeli Ministers who had met with the representative of the Secretary-General stated that, as had been made clear in the Security Council, they rejected resolution 605 (1987) because the Security Council had no role to play in the security of the occupied territories, for which Israel was exclusively responsible. As was well known, Israel did not accept the applicability of the Fourth Geneva Convention in the territories. Regarding the situation in the occupied territories, the Israeli Ministers agreed that it was a serious one. According to the report, the Government of Israel regretted the civilian casualties that had occurred and was taking steps to minimize such casualties in the future. A political solution had to be found to the underlying problem and Israel remained committed to the search for a negotiated settlement. But, meanwhile, law and order had to be restored.

Without exception, the Palestinians consulted said that they rejected the Israeli occupation and complained bitterly about the practices of the Israeli security forces. The Secretary-General listed in his report examples of the violations by Israel, the occupying Power, of provisions of the Fourth Geneva Convention and put forward a set of possible protective measures that could be undertaken to help ensure the safety of the Palestinian civilian population. The proposed forms of "protection" mentioned were the following:

"(a) 'Protection' can mean physical protection, i.e. the provision of armed forces to deter, and if necessary fight, any threats to the safety of the protected persons;

"(b) 'Protection' can mean legal protection, i.e. intervention with the security and judicial authorities, as well as the political instances, of the occupying Power, by an outside agency, in order to ensure just treatment of an individual or group of individuals;

"(c) 'Protection' can also take a less well-defined form, called in this report 'general assistance', in which an outside agency intervenes with the authorities of the occupying Power to help individuals or groups of individuals to resist violations of their rights (e.g. land confiscations) and to cope with the day-to-day difficulties of life under occupation, such as security restrictions, curfews, harassment, bureaucratic difficulties and so on;

"(d) Finally, there is the somewhat intangible 'protection' afforded by outside agencies, including especially the international media, whose mere presence and readiness to publish what they observe may have a beneficial effect for all concerned; in this report this type of protection is called 'protection by publicity'."

The principal recommendation made by the Secretary-General in the report was that the international community should make a concerted effort to persuade Israel to accept the *de jure* applicability of the Fourth Geneva Convention to the occupied territories and to correct its practices in order to comply fully with that Convention. The report also contained recommendations and described certain steps which the Secretary-General was taking, within existing arrangements, to improve the safety and protection accorded to the population of the occupied Palestinian territory by the international community, for instance in the context of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA).

The report submitted by the Secretary-General was considered by the Security Council at five meetings held on 27 and 28 January and 1 February 1988. The overwhelming majority of the delegations addressing the issue criticized Israel for its repressive and harsh measures against the participants in the civilian Palestinian uprising in the occupied territory and expressed support for the Secretary-General's recommendations. The Council could not, however, act on those recommendations as a draft resolution to that effect was not adopted owing to the negative vote of a permanent member. According to the report of

the Secretary-General of 31 October 1990, the number of international staff serving with UNRWA in the occupied Palestinian territory increased from 15 to 51 during the period from January 1988 to October 1990. The additional staff members helped to defuse tense situations, avert maltreatment of vulnerable groups, reduce interference with the movement of ambulances, and facilitate the provision of food and medical aid during curfews. Moreover, the size of the international delegation of the International Committee of the Red Cross (ICRC) - which, under the Fourth Geneva Convention, has a definite role with regard to protection in the occupied territories - increased from 15 delegates in December 1987 to 45 in October 1990. The Secretary-General reported that the additional presence in the occupied territories of international staff of these organizations has been welcomed by the Palestinians, but they add that, given the exceptional circumstances in which they are living, it has not had the necessary impact on the behaviour of the Israeli authorities.

Since the adoption of its resolution 605 (1987) on 22 December 1987, the Security Council has, on a number of occasions, met to consider the situation in the occupied Palestinian territory. For instance, the Security Council has adopted four resolutions specifically on the question of deportations of Palestinians from the occupied territory. In resolutions 607 (1988) of 5 January 1988, 608 (1988) of 14 January 1988, 636 (1989) of 6 July 1989 and 641 (1989) of 30 August 1989, the Council called upon Israel to desist from deporting Palestinian civilians and to ensure the safe and immediate return to the occupied Palestinian territories of those already deported. In a presidential statement dated 26 August 1988, the members of the Security Council said that they were gravely concerned by the continued deterioration of the situation in the Palestinian territories occupied by Israel since 1967, including Jerusalem, and especially by the grave and serious situation resulting from the closing-off of areas, the imposition of curfews and the consequent increase in the numbers of injuries and deaths that had occurred. They said that they were profoundly concerned by the persistence of Israel, the occupying Power, in continuing its policy of deporting Palestinian civilians in contravention of Security Council resolutions and the Fourth Geneva Convention, as demonstrated on 17 August 1988 by its expulsion of four Palestinian civilians to Lebanon and its decision to expel 40 more. The members requested Israel immediately to desist from deporting any Palestinian civilians and immediately to ensure the safe return of those already deported. The members of the Security Council considered that the situation in the

occupied territories had grave consequences for endeavours to achieve a comprehensive, just and lasting peace in the Middle East.

Following an incident on 20 May 1990 in which an Israeli gunman killed 7 Palestinian workers and wounded 11 others at Rishon Lezion in Israel, the issue of protection was addressed by the Security Council, which for the first time in its history convened at Geneva. During the Security Council debate that was held at Geneva on 25 and 26 May 1990, and in New York on 31 May 1990, nearly every delegation that spoke, including members of the Council, emphasized the urgent need of the Palestinians for protection. On 25 May 1990 Mr. Yasser Arafat, Chairman of the Executive Committee of the Palestine Liberation Organization, made a statement before the Council, calling for action urgently needed to provide international protection to the Palestinian people. However, a draft resolution that would have established a commission consisting of three members of the Security Council to examine the situation in the occupied Palestinian territory and recommend ways and means for ensuring the safety and protection of the Palestinian civilians under Israeli occupation was again not adopted owing to the negative vote of a permanent member of the Council. In the demonstrations which erupted throughout the occupied territory in protest against the incident, 17 Palestinians were killed and more than 1,000 wounded by Israeli security forces.

A personal representative of the Secretary-General visited Israel and the occupied territories from 22 June through 1 July 1990. According to the press statement by the Secretary-General, issued at Geneva on 4 July, the principal concern conveyed by the Palestinians to the personal representative was their profound feeling of vulnerability resulting from the lack of protection. This fear was expressed by those living in refugee camps as well as by residents of towns and villages. The Palestinians were also deeply concerned about the need to ensure their basic human and economic rights. Their grievances were conveyed to the Israeli authorities, which were urged to take the necessary steps to address them.

In a presidential statement dated 19 June 1990, the members of the Security Council strongly deplored the incident which had occurred on 12 June 1990 in a clinic belonging to UNRWA, located near Shati camp in the Gaza Strip, in which several innocent Palestinian women and children were wounded by a tear-gas grenade thrown by an Israeli officer.

Expressing dismay that the penalty imposed on that officer had been commuted, the members reaffirmed that the Fourth Geneva Convention was applicable to the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem, and requested the High Contracting Parties to ensure respect for the Convention. They called upon Israel to abide by its obligations under that Convention.

Meanwhile, the General Assembly addressed the grave circumstances in the occupied Palestinian territory connected with the Palestinian popular uprising, first on 3 November 1988. By its resolution 43/21 on the uprising of the Palestinian people, adopted that day, the General Assembly condemned Israel's persistent policies violating the human rights of the Palestinian people and, in particular, such acts as the opening of fire by the Israeli army and settlers that resulted in the killing and wounding of defenceless Palestinian civilians, the beating and breaking of bones, the deportation of Palestinian civilians, the imposition of restrictive economic measures, the demolition of houses, collective punishment and detentions as well as denial of access to the media. The General Assembly also called upon the High Contracting Parties to the Fourth Geneva Convention to take appropriate measures to ensure respect by Israel, the occupying Power, for the Convention in all circumstances in conformity with their obligation and article 1 of the Convention.

In view of the Security Council's inability to act at a time of violent repression of the popular uprising, the General Assembly increasingly urged the consideration of measures for the impartial international protection of the Palestinian civilians. On 20 April 1989, at its resumed forty-third session and on 6 October 1989, at its forty-forth session, the General Assembly again dealt with the grave situation in the occupied Palestinian territory, including Jerusalem, in connection with the *intifadah*. In its resolution 44/2 of 6 October 1989, the General Assembly expressed deep concern at the alarming situation in the Palestinian territory occupied since 1967, as a result of the continued occupation by Israel and of its persistent policies and practices against the Palestinian people. The General Assembly expressed its profound shock at the continued killing and wounding of Palestinian civilians and the action of ransacking the houses of defenceless civilians in the Palestinian town of Beit Sahour. In its resolution 45/69 of 6 December 1990, the General Assembly expressed its profound shock at the Israeli violence which had taken place on 8 October 1990 at the Al-Haram Al-Shareef in Jerusalem resulting in the killing and

wounding of Palestinian civilians, addressed below. Further, the General Assembly again requested the Security Council to examine with urgency the situation in the occupied Palestinian territory with a view to considering measures needed to provide international protection to the Palestinian civilians in the Palestinian territory occupied by Israel since 1967, including Jerusalem, and requested the Secretary-General to examine the situation there by all means available to him. The following day it was announced that the President of the forty-fifth session of the General Assembly would visit Palestine refugee camps in the occupied Arab territories early in the new year, 1991. This visit, the first of its kind, would permit the President to express personally to those living in the camps the support of the General Assembly and concern for their plight.

On 12 October 1990, in its resolution 672 (1990), the Security Council unanimously expressed alarm at the violence which had taken place on 8 October at the Al-Haram Al-Shareef and other Holy Places of Jerusalem resulting in over 20 Palestinian deaths and the injury of more than 150 people, including Palestinian civilians and innocent worshippers, and condemned especially the acts of violence committed by the Israeli security forces resulting in injuries and loss of human life. The Council called upon Israel, the occupying Power, to abide scrupulously by its legal obligations and responsibilities under the Fourth Geneva Convention, which is applicable to all the territories occupied by Israel since 1967. The Council welcomed the decision of the Secretary-General to send a mission to the region and requested that he submit a report to it before the end of October 1990, containing his findings and conclusions.

On 14 October 1990, the Israeli Cabinet adopted a statement indicating that the text of Security Council resolution 672 (1990) was totally unacceptable to it and that Israel would not receive the delegation of the Secretary-General. The Secretary-General sought clarification from the Government of Israel as to whether the statement implied that his delegation would not be received by the Government or meant that it would be barred from entry. In a meeting with the Secretary-General on 18 October, the Acting Permanent Representative of Israel stated that his Government did not wish the mission to come and was prepared to provide the Secretary-General with a copy of the report of the Commission of Investigation concerning the events of 8 October 1990, appointed by the Israeli Prime Minister. On 19 October 1990, the Secretary-General informed the Security Council in informal consultations that he was not in

a position to dispatch a mission to the area, and members of the Council expressed the opinion that efforts should continue to be made to send a mission.

On 24 October, in its resolution 673 (1990), the Security Council unanimously deplored the refusal of the Israeli Government to receive the mission of the Secretary-General to the region, urged the Israeli Government to reconsider its decision and insisted that it comply fully with resolution 672 (1990) awaiting implementation.

The Secretary-General submitted to the Security Council a report on 31 October 1990 (S/21919 and Corr.1) in accordance with resolution 672 (1990). Three addenda to his report on the incident of 8 October were also submitted, (a) the report prepared by B'Tselem, the Israeli Information Center for Human Rights in the Occupied Territories; (b) a report of Al-Haq: Law in the Service of Man, and (c) the summary of the report of the Commission of Investigation appointed by Israel. A separate Security Council document contained a letter in which Palestine transmitted the findings of the Higher Islamic Council regarding the same event. On 9 November 1990, the Security Council watched a bystander's videotape of the violent clashes that took place in Jerusalem on 8 October, submitted by the Observer Mission of Palestine as evidence that the shooting of Arab worshippers by Israeli forces at the Al-Aqsa Mosque had been unprovoked.

In his report, the Secretary-General said that he had been unable to secure independent information, on the spot, regarding the recent events in Jerusalem and referred to the widespread coverage given by the international press according to which some 17 to 21 Palestinians were killed and more than 150 wounded by Israeli security forces, and more than 20 Israeli civilians and police were wounded by Palestinians. While there were conflicting opinions as to what provoked the clashes, observers on the spot, including personnel of ICRC, stated that live ammunition was used against Palestinian civilians.

The Secretary-General recalled that in Security Council resolution 605 (1987), adopted on 22 December 1987 in the earliest days of the *intifadah*, the Council had requested him to examine the situation in the occupied territories and to submit a report to it containing recommendations on ways and means for ensuring the safety and protection of the Palestinian civilians under occupation. On the basis of that mandate,

and with the concurrence of the Israeli authorities, he had been able to send a mission to the occupied territories to prepare a detailed report, including a set of recommendations referred to above.

The Secretary-General, in his report of 31 October 1990, said that it should be noted that each of the Security Council resolutions and presidential statements addressing the question of the safety and protection of the Palestinian civilians in the occupied territories adopted since January 1988 reaffirm the applicability to the occupied territories of the Fourth Geneva Convention and in them, Israel is repeatedly called upon to abide by its obligations under that Convention. Moreover, the Secretary-General pointed out that in article 1 of the Convention "The High Contracting Parties undertake to respect and to ensure respect for the present Convention in all circumstances."

The Secretary-General stated that the position taken by Israel, itself a High Contracting Party, that it does not accept formally the *de jure* applicability of the Convention, but that it has since 1967 decided to act in de facto accordance with the Convention's humanitarian provisions, is not accepted by ICRC, which is the guardian of the Geneva Conventions of 1949, nor has it been endorsed by the other High Contracting Parties to the Convention.

At the end of the report, the Secretary-General made a number of observations. He recalled that the principal recommendation of his report of 21 January 1988 had been that the international community should make a concerted effort to persuade Israel to accept the *de jure* applicability of the Fourth Geneva Convention to the occupied territories and to correct its practices in order to comply fully with that Convention. The following observations concluded the report of 31 October 1990 of the Secretary-General:

> "The issue before us today is what practical steps can, in fact, be taken by the international community to ensure the safety and protection of the Palestinian civilians living under Israeli occupation. Clearly, the numerous appeals - whether by the Security Council, by myself as Secretary-General, by individual Member States or by ICRC, which is the guardian of the Geneva Conventions - to the Israeli authorities to abide by their obligations under the Fourth Geneva Convention have

been ineffective. It is evident that for any measure of protection to be ensured, the co-operation of the Israeli authorities is, under the present circumstances, absolutely essential. Nevertheless, given the special responsibility of the High Contracting Parties for ensuring respect for the Convention, the Security Council might wish to call for a meeting of the High Contracting Parties to discuss possible measures that might be taken by them under the Convention.

...

"It would be misleading to conclude this report - which has focused essentially on the need to ensure the safety and protection of the Palestinian civilians living under Israeli occupation - without underlining that it is a political conflict that lies at the heart of the tragic events that led to the adoption of Security Council resolutions 672 (1990) and 673 (1990). The determination of the Palestinians to persevere with the intifadah, is evidence of their rejection of the occupation and their commitment to exercise their legitimate political rights, including self-determination."

On 20 December 1990, after weeks of consultations and the statement made by the President of the Security Council on the same day that the members of the Council had agreed that an international conference, at an appropriate time, properly structured, should facilitate efforts to achieve a negotiated settlement and lasting peace in the Arab-Israeli conflict, resolution 681 (1990) was unanimously adopted by the Security Council. The resolution reads in part as follows:

"The Security Council,

...

"Gravely concerned at the dangerous deterioration of the situation in all the Palestinian territories occupied by Israel since 1967, including Jerusalem, and at the violence and rising tension in Israel,

"Taking into consideration the statement by the President of the Security Council on 20 December 1990 concerning the method and approach for a comprehensive, just and lasting peace in the Arab-Israeli conflict,

...

"4. Urges the Government of Israel to accept *de jure* applicability of the Fourth Geneva Convention of 1949, to all the territories occupied by Israel since 1967, and to abide scrupulously by the provisions of the said Convention;

...

"6. Requests the Secretary-General, in co-operation with the International Committee of the Red Cross, to develop further the idea expressed in his report [S/21919 and Corr.1] of convening a meeting of the High Contracting Parties to the Fourth Geneva Convention ...;

"7. Also requests the Secretary-General to monitor and observe the situation regarding Palestinian civilians under Israeli occupation, making new efforts in this regard on an urgent basis, and to utilize and designate or draw upon the United Nations and other personnel and resources present there, in the area and elsewhere, needed to accomplish this task and to keep the Security Council regularly informed".

According to the report submitted to the Security Council by the Secretary-General in accordance with resolution 681 (1990) dated 9 April 1991 (S/22472), resolution 681 (1990) represents a new step on the part of the Security Council because it entrusts, for the first time, ongoing responsibilities to the Secretary-General with respect to the Palestinian civilians under Israeli occupation. At the same time, the resolution underlines the obligations of the parties chiefly responsible under the Fourth Geneva Convention for ensuring their protection, namely Israel, the occupying Power, and the High Contracting Parties to the Convention.

Action by other organizations

Since the beginning of the *intifadah*, intergovernmental organizations such as the European Economic Community, the League of Arab States, the Organization of African Unity and the Organization of the Islamic Conference, as well as the Conference of Heads of State or Government of the Movement of Non-Aligned Countries, have expressed their concern regarding the grave situation in the occupied Palestinian territory and the lack of protection of the Palestinian people. For instance, the European Council, in its Declaration on the Middle East made on 26 June 1990 in Dublin, stated that the Twelve had repeatedly called on Israel to adhere to its obligations towards the Palestinian population in the territories under its occupation, which is protected by the Fourth Geneva Convention. They had observed that Israel had notably failed to do so in a number of important areas. Recent events had underlined once again that the *status quo* in the occupied territories was untenable and the position concerning the observance of human rights there lamentable. Concerned that the human rights of the population of the occupied territories continued to be inadequately protected, the Council called for further action, in accordance with the Fourth Geneva Convention. In this connection, the European Council expressed support for the useful role the United Nations can and should play with regard to the protection of the Palestinian population.

On the ground, the International Committee of the Red Cross (ICRC) continued to carry out its protection and assistance activities in the occupied territory, principally based on the Fourth Geneva Convention which, together with the other Geneva Conventions of 1949, requires ICRC to be ready at all times and in all circumstances to fulfil the humanitarian tasks entrusted to it by these Conventions. In 1971, ICRC had expressed itself ready to assume all the functions envisaged for Protecting Powers in the Conventions.

The activities of ICRC in the occupied Palestinian territory were stepped up since the beginning of the *intifadah*. As mentioned above, more ICRC delegates in Israel and the occupied Palestinian territory were needed to carry out activities in connection with the events that had been affecting the occupied territory since December 1987, such as visiting persons under arrest, checking on conditions of internment and providing material assistance to detainees; monitoring medical facilities; assisting local Red Crescent sections and visiting casualties; evaluating the general situation in the villages and camps in the occupied territory; and providing

material assistance to families whose houses had been ordered destroyed. According to the International Review of the Red Cross of July-August 1988, the delegation also contacted the authorities with a view to solving certain problems arising from violations of international humanitarian law. On 19 May it forwarded a summary report to the Israeli Ministry of Defense, in which it reminded the occupation authorities of their obligations and responsibilities regarding the behaviour of soldiers in charge of crowd control. On 31 May the delegates carried out a general census in the seven military detention centres holding persons arrested in connection with the events; they registered 5,139 detainees there, including 1,939 administrative detainees. In 1989 and 1990, annually approximately twice as many detainees were counted. The ICRC delegation moreover continued its traditional protection activities such as visiting prisons and police stations. In order to strengthen its operational infrastructure, the delegation set up Tracing Agency facilities and opened a new office in Nablus on 7 June 1988 covering the northern part of the West Bank.

In late June 1989, Mr. Cornelio Sommaruga, President of ICRC, visited Israel and the occupied West Bank and the Gaza Strip. According to the ICRC press release of 24 June 1989, the main purpose of the visit was the humanitarian problems prevailing in the territories occupied by Israel in the West Bank and the Gaza Strip. In this context, Mr. Sommaruga regretted Israel's refusal to accept the principle of the formal applicability of the Geneva Convention to the occupied territories and stated his disagreement with the resorting to house destructions and expulsions of residents of these territories as means of repression; he also mentioned the severe humanitarian consequences caused by the extensive use of firearms.

Throughout the 1980s, non-governmental organizations (NGOs) have taken an increasing interest in the question of Palestine, in particular the lack of protection of the civilian Palestinian population during the *intifadah*. NGOs have convened a growing number of solidarity meetings in their communities, countries and at the international level; organized fact-finding missions; gathered data on human rights violations; and published a variety of newsletters and information material. By the end of the decade, approximately 900 NGOs coordinated their activities in the context of the work of the Committee on the Exercise of the Inalienable Rights of the Palestinian People. Through their activities, NGOs have contributed to a better understanding of the question of Palestine and sought to further the protection of the Palestinians living under military occupation since 1967.

III. Living conditions in the occupied Palestinian territory

The General Assembly has affirmed repeatedly during the period from 1979 to 1990 that the Israeli occupation is contradictory to the basic requirements for the social and economic development of the Palestinian people in the occupied Palestinian territory. In 1982, the Assembly affirmed also that the exercise by the Palestinian people of its right to self-determination is a prerequisite for its social and economic development in the Palestinian territory occupied since 1967. However, even local elections there were postponed by the occupying Power throughout the 1980s. Under Israeli occupation, municipal elections took place once in the West Bank, in 1976. According to analysts, within a few years of the 1976 elections the Israeli occupation authorities had ousted many municipal leaders, and continued to use deportation, house arrests and curfews to control the political arena.[6] At the same time, the occupying Power appointed municipal officials and, in the early 1980s, attempted to establish so-called "village leagues" that interfered with the existing public institutions. Furthermore, Israeli settlers enjoyed the benefits of political rights at all levels of government to influence to their advantage the living conditions in the occupied Palestinian territory. As discussed earlier, in the period under review the Israeli military occupation was consolidated to the detriment of the Palestinian people.

Based on available estimates and projections, at present approximately 1.85 million Palestinians live in the Palestinian territory occupied by Israel since 1967, including Jerusalem. At the end of 1986, approximately 75 per cent of Palestinians in the occupied Palestinian territory were below 30 years of age and almost half of the Palestinian population were children under 15. After peaks in the reported birth rates for Palestinians in the mid-1970s, rates somewhat declined or remained basically the same between 1980 and 1987. In the West Bank, reported live births per thousand Palestinians declined from 42.1 to 41.0; in the Gaza Strip, reported live births vacillated at the 47.7 level. In 1984, both areas had experienced temporary increases reaching 43.0 per thousand in the West Bank and 48.3 per thousand in the Gaza Strip.[7]

Approximately one third of the Palestinian population in the occupied territory over 13 years of age was employed during the 1980s. For considerable periods after 1967, technically and professionally trained

adults, particularly men, had left the occupied Palestinian territory at a rate of sometimes 20,000 per year. During the early 1980s, a marked reduction in temporary migration in search of employment outside the Palestinian and Israeli labour markets, a return of well-educated adults from abroad, and a continuing high and temporarily growing rate of natural increase were demographic factors that contributed to increasing an unfulfilled need for housing, health care, education and general public services. This situation was aggravated by the policies adopted by the occupying Power against the Palestinian people.

In 1977, the Government announced that Israeli public services in the fields of health, education and social welfare would be extended to the Palestinian inhabitants of the occupied territory, in 1981 the so-called "civilian" administration was instituted by the occupying Power, and in 1984 emergency regulations extended Israeli legislation to settlers in the occupied Palestinian territory, subjecting it increasingly to Israeli domestic jurisdiction and policy-making. As mentioned earlier in this study, the occupying Power has since taken some 50 per cent of the land, made arrangements to exploit much of the annual fresh water resources and established over 200 settlements in the Palestinian territory, not including the Israeli settlement activities in Jerusalem occupied since 1967. Mr. Israel Shahak, head of the Israeli League for Civil and Human Rights, in an article published in Middle East International of 19 April 1991, stated that, over the last 23 years, the policies of the Israeli occupation have been aimed at destroying the economy of the territories and at arresting all economic development there. For example, the development of Palestinian agriculture has been effectively prevented by the policies of land confiscation and water allocation. The situation in industry and services is no different. A Palestinian who wants to set up a business of whatever kind in the occupied territories needs a permit from the Israeli authorities, whose openly avowed policy is to prevent any competition with Israeli goods or services. Thus, for example, Palestinians are prohibited from purchasing milk cows, and must buy milk and dairy products from the Israelis. The result of such restrictions is clear, in the view of the author. They leave the Palestinian inhabitants of the occupied territories with only three options: to take employment inside Israel (or on the Israeli settlements); to migrate; or to acquiesce to a steady decline in their standard of living and to abandon all hope of its improvement. A major study by Mr. Meron Benvenisti, an Israeli public policy expert, found that the budgetary policies of the authorities further depressed conditions in the

Table 1. Palestinian population in the occupied Palestinian territory (estimates and projections)

Area	1982	1987	1988	1990
Gaza Strip				
TOTAL - thousands	477.3	565.6	589.0	673.0
AGE GROUPS - per cent	100.0	100.0		
0 - 4	19.7	20.4		
5 - 14	27.7	28.4		
15 - 19	12.5	10.4		
20 - 24	9.5	9.5		
25 - 34	12.5	13.9		
35 - 44	5.7	5.9		
45 - 54	5.9	4.7		
55 - 64	3.7	4.0		
65+	2.8	2.8		
Jerusalem (East)				
TOTAL - thousands	124.1	136.5	139.6	158.0
West Bank				
TOTAL - thousands	749.3	868.1	895.0	1,013.0
AGE GROUPS - per cent	100.0	100.0		
0 - 4	18.2	19.7		
5 - 14	28.1	27.5		
15 - 19	12.4	10.4		
20 - 24	10.7	10.3		
25 - 34	10.4	14.0		
35 - 44	5.8	5.1		
45 - 54	6.1	4.8		
55 - 64	4.3	4.5		
65+	4.0	3.7		
GRAND TOTAL- thousands	1,350.7	1,570.2	1,623.6	1,844.0

Source: See note 4 below. The size and composition of the Palestinian population have not been officially determined for decades.

occupied territory. The budgetary policies of the Israeli authorities illustrate the deliberate freeze characterizing official policy with regard to the Palestinian productive sector and ongoing consumption expenditure ought to have been higher, especially in human capital formation services such as health and education. According to Mr. Benvenisti's calculations, the Palestinians living in the West Bank and Gaza pay an "occupation tax" to the occupying authorities that were estimated after 19 years at a conservative figure of $700 million (West Bank alone) or two-and-a-half times the total government capital formation in that entire occupation period. That fact refutes Israeli claims that the low level of public expenditure and investment derives from budgetary limitations. If net fiscal transfers had been invested in the area, rather than added to Israeli public expenditure, it would have been possible to improve local services significantly, and in particular, to develop local economic infrastructure.[8]

In addition to the restrictions imposed by the occupying Power, the material well-being of Palestinians was impaired by the recession spreading in the region during the early 1980s. During 1985 and 1986, prices in the West Bank have risen by almost 500 per cent, agricultural income declined by 4 per cent and unemployment, hitherto unknown there, exceeded 3 per cent. For Palestinians, the recession meant a drop in per capita income in real terms, a considerable reduction of job opportunities abroad, and a marked deterioration of their living conditions. Agricultural markets, which used to be adequately stocked, registered a reduced supply of several basic fruits and vegetables. Malnutrition increased and the environment deteriorated further in many places. Housing shortages and overcrowding became particularly acute in the first half of the 1980s. Even though the median housing density slightly improved during the first six years of the decade, as compared with the 1970s, in 1988 the median housing density of 2.4 persons per room for the West Bank and 2.6 persons per room for the Gaza Strip would be considered high.[9]

During over three years of the *intifadah*, the pervasive, simultaneous and repeated use of collective punishment by the occupying Power was extremely damaging to the social and economic sectors of Palestinian society. Between 1987 and 1989, the standard of living of Palestinians was estimated to have decreased by approximately 50 per cent, consumer spending by 40 per cent and economic activity by 30 per cent.[10] The serious deterioration of living conditions in the occupied Palestinian territory during the *intifadah* has led to a more self-reliant local provision

of goods and services "by Palestinians for Palestinians", often through banned popular committees.[11] A resistance and survival economy was organized by Palestinians to meet very basic, subsistence-level needs through family and community agriculture. The immense efforts to promote self-reliance could not, however, prevent the economic paralysis of entire communities brought about by the repressive measures taken by the occupation authorities against the Palestinian people.

The plight of Palestinians under military occupation with regard to health was reflected in the staggering cost of public health care; the decentralization of public health care instead of curative, specialist and hospital services; the incidence of infants with a low birth weight; the prevalence of common childhood and respiratory diseases, associated with cold injury; and the debilitating effects of unsanitary environmental conditions such as polluted drinking water. According to an article entitled "The Union of Health Work Committees, one of the four bodies building the popular health infrastructure of the Palestinian State", published in News from Within by the Alternative Information Center, Jerusalem, on 3 April 1991, constraints placed by the occupying Power on the Palestinian health system in the pre-*intifadah* period included the following:

(a) Serious damage was done to the scope of activity of hospitals by turning several hospitals in the West Bank and Gaza Strip into detention centres, prisons or military administration offices, the closure of hospitals or prohibition of their expansion - thus reducing the quality of service - the blocking of construction of new hospitals and of the acquisition of medical equipment and supplies. The number of healthcare personnel has also been reduced through the denial of sufficient work permits. Moreover, healthcare workers in government hospitals in the West Bank and Gaza Strip are paid only one third as much as members of the same professions working in Israeli hospitals. The proportion of doctors in the population is estimated at 8 per 10,000 in the occupied territories versus 25 per 10,000 in Israel.

(b) Another group of practices consisted in the restriction of access to healthcare services by means of continual increases in health insurance fees and by the setting of quotas on the number of Palestinians allowed to be transferred to Israeli hospitals when the required equipment or expertise was lacking, as was often the case in hospitals in the territories.

Table 2. Public sector hospitals in the West Bank and Gaza Strip

	West Bank		Gaza	
	1967	1990	1967	1990
Number of public sector hospitals	12	9	5	5
Number of beds	1,265	1,001	955	920
Population (millions)	0.60	1.02	0.36	0.67
Beds/1,000 population	2.1	0.9	2.7	1.4

Source: Based on a special report contained in MAP NEWS, Medical Aid for Palestinians Newsletter, London, Spring 1991.

(c) Besides curative medicine, both preventive medicine and general, social, medicine were targets for systematic repression by the occupation authorities. For example, in the realm of environmental factors, most cities, towns, villages and refugee camps lack adequate water, which leads to the increased occurrence of parasitical and other infectious diseases. And, concluding the list, there was a lack of comprehensive health education and preventive medicine programmes, especially in remote and poor areas.

According to UNRWA's 1990 report to the General Assembly, in Gaza most health care centre buildings require replacement or major renovation, planning for a 200-bed general hospital is under way and several projects in the area of environmental health are proceeding, if at times slowly, owing to obstacles created by the Israeli security forces. In the West Bank, UNRWA carried out major environmental sanitation projects. The report also states that the supply of potable water in the occupied territory continued to be a serious problem during the period from 1989 to 1990.

Despite some improvements in the health of the Palestinian population when compared with earlier years, the levels of health indicators during the mid-1980s were considered as inadequate.[12] For instance, the reported infant mortality rate in the occupied Palestinian territory of about 30 per 1,000 live births included a variation featuring extremely high counts of well over 100 per 1,000 in rural areas of the West Bank. Also it compared unfavourably to rates found elsewhere during the mid-1980s, such as approximately 18 per 1,000 among the Arab population of Israel and just under 10 per 1,000 among the Jewish population of Israel. The mental health situation in the occupied Palestinian territory deteriorated further by the mid-1980s, requiring service delivery, data collection and planning. In the early 1980s, coinciding with the adoption by the occupying Power of often brutal repressive policies, referred to as "strong-arm" and "iron-fist" policies, an increase in psychiatric disorders was recognized. Although the provision of services to the severely mentally ill had reportedly shown signs of improvement between 1984 and 1985, many less tangible mental and emotional disturbances resulting from the consequences of military occupation and the annexation of occupied territory remained to be dealt with.

Since the beginning of the *intifadah*, the demand for health care, in particular emergency services, has rapidly risen. The vast number of injuries were reported to have totally overwhelmed the already inadequate medical facilities. Moreover, the availability of medical care, water, sewage disposal and other needed services was subject to restrictive controls by the occupation authorities. The situation was further aggravated by the extensive imposition of curfews. Hospitals and clinics were repeatedly raided by Israeli troops, medical equipment destroyed, medical personnel attacked and patients arrested. The above-mentioned article on the Palestinian health situation that appeared in News from Within of 3 April 1991 states that during the *intifadah* the following additional repressive and oppressive measures were introduced by the occupying Power:

(a) First and foremost, measures have been taken to prevent those wounded in the *intifadah* from receiving the hospital care they require. These include the delay and blocking of the transportation of injured to hospital, whether by ambulance or private car, repeated attacks on hospitals and the detention of the injured inside hospitals and clinics;

(b) Fees of government health services were increased, causing particular hardship to poor sectors of the population. Fees for delivery of services in hospitals and clinics were increased by 70 per cent, and there was a substantial increase in medical insurance premiums, which resulted in a considerable number of families dropping their insurance. Also, in the case of *intifadah*-related injuries, the occupation authorities charge a daily hospitalization fee of 280 NIS ($US 140), an amount which exceeds the total monthly income of at least 30 per cent of Palestinian families.

The progress report on special technical support to improve the health conditions of the Palestinian people, submitted by the Director-General of the World Health Organization to the Forty-fourth World Health Assembly, dated 23 April 1991, notes the halt, from 1987 to 1990, of capital investment in the public hospitals of the occupied Palestinian territory. The public hospitals have been receiving fewer patients every year because of the prohibitive cost (one bed-day costs up to $US 200 in a nonspecialist department, an amount the great majority of Palestinians are unable to afford and, in addition, no more than 20 per cent of the population is covered by social security). At the same time, the charitable hospitals have stepped up their activity and now account for almost 46 per cent of hospital admissions. According to the report, the deteriorating health conditions in the occupied Arab territories, including Palestine, continue to be a major concern.

Inadequate conditions for learning have jeopardized both the educational and cultural development of Palestinian children and students during the 1980s. Young Palestinians frequently became the target of very harsh repressive measures carried out by the occupying Power on school premises and in the universities. Between 1979 and 1990 some of the principal factors impairing the educational development of Palestinians in the occupied territory were the closing of schools and universities; the appointment and dismissal of teachers and faculty members subject to the control and supervision of the military authorities; the modification and censorship of curricula; as well as the unavailability of adequate teaching staff, premises and equipment. Also, it has not been possible to establish the Palestinian university at Jerusalem repeatedly proposed by the General Assembly. During the *intifadah*, schools and universities were closed for extended periods, preventing students from acquiring basic skills and from taking examinations required to advance to the next level of instruction.

Until the end of 1990, virtually all Palestinian universities remained closed. Alternative teaching arrangements were prohibited.

In view of the dangerously deteriorating living conditions during the years under review, requiring a redoubling of endogenous efforts and unprecedented emergency relief assistance, for the Palestinian people the *intifadah* continued to underline the importance of developing independent socio-economic institutions in the West Bank and Gaza Strip, including Jerusalem, in preparation for full self-determination and the establishment of the proclaimed State of Palestine.

IV. Assistance to the Palestinian people

The need for international assistance to over 1.5 million Palestinian refugees registered by the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) in Jordan, Lebanon and the Syrian Arab Republic and to some 1.85 million Palestinians living under Israeli occupation has steadily increased during the period from 1979 to 1990. Since the adoption by Israel of extremely harsh repressive measures against Palestinian civilians in the context of the *intifadah*, which began in December 1987, and the beginning of the Gulf crisis in August 1990, the need for assistance to the Palestinian people has become pervasive, necessitating large-scale emergency relief efforts. Over the years, the international community has responded to alleviate basic aspects of the material plight of Palestinians, at present approximately 6 million people.[13] The United Nations system, other intergovernmental organizations, bilateral development agencies and non-governmental organizations (NGOs) have carried out projects in the occupied Palestinian territory and neighbouring countries. Any international assistance to Palestinians of the occupied Palestinian territory is subject to the approval of the Israeli military authorities.

According to the Secretary-General's report of 19 October 1989, entitled "Assistance to the Palestinian People", during the 1980s the following United Nations system entities carried out assistance activities, including related studies and research: the United Nations Development Programme (UNDP), UNRWA, the United Nations Conference on Trade and Development (UNCTAD), the United Nations Children's Fund (UNICEF), the Economic and Social Commission for Western Asia (ESCWA), the International Labour Organisation (ILO), the Food and Agriculture Organization of the United Nations (FAO), the United Nations Environment Programme (UNEP), the World Health Organization (WHO), the United Nations Centre for Human Settlements (Habitat), and the United Nations Population Fund (UNFPA). What had begun as short-term emergency relief to Palestinian refugees by the United Nations in the late 1940s has evolved to include the more lasting form of development assistance.

Table 3. Palestine refugee population registered by UNRWA

Country or area	1980	1985	1988	1990
Gaza Strip	367,995	427,892	459,074	496,339
Jordan	716,372	799,724	870,490	929,097
Lebanon	226,554	263,599	288,176	302,049
Syria	209,362	244,626	265,221	280,731
West Bank	324,035	357,704	385,634	414,298
TOTAL	1,844,318	2,093,545	2,268,595	2,422,514

Source: Reports of the Commissioner-General of UNRWA for the period 1 July 1988 to 30 June 1989 (Official Records of the General Assembly, Forty-fourth session, Supplement No. 13 (A/44/13)), annex I, table 2, p. 36; and for the period 1 July 1989 to 30 June 1990 (Ibid., Forty-fifth Session, Supplement No. 13 (A/45/13)), annex I, table 1, p. 33.

Table 4. Palestinian population in selected countries and areas (estimates)

Country or area	1980	1984
Bahrain	1,600	1,700
Egypt	32,000	35,900
Gaza Strip	444,100	499,100
Iraq	18,500	19,500
Israel	513,100	579,200
Jordan	1,035,000	1,236,200
Kuwait	264,500	329,900
Lebanon	297,600	275,000
Libya	19,100	20,100
Oman	5,100	5,700
Qatar	22,200	26,800
Saudi Arabia	117,400	144,100
Syria	215,400	245,200
United Arab Emirates	34,000	41,000
United States of America	64,900	87,700
West Bank	832,400	895,000
Yemen (Sanaa)	700	700
TOTAL	3,917,600	4,443,800

Source: United States Bureau of Census estimates, tables A.2-A.18, as shown in: Michael K. Roof and Kevin G. Kinsella, "Palestinian Arab Population: 1950 to 1984", Center for International Research, United States Bureau of Census, March 1985 (revised May 1987), p. 18.

Foremost among United Nations agencies concerned with assistance to the Palestinian people continued to be UNRWA, which throughout the decade provided assistance to Palestine refugees in cooperation with ILO, UNDP, the United Nations Educational, Scientific and Cultural Organization (UNESCO), UNFPA, UNICEF and WHO. Training opportunities for individual Palestinians were also provided by the International Telecommunication Union, the Universal Postal Union, the World Meteorological Organization and the World Intellectual Property Organization. The activities carried out by the United Nations system to assist the Palestinian people related to research, analysis and the organization of relevant data; infrastructure; agriculture; industry; employment; education and vocational training; health; social welfare; and human settlements. Beginning in the mid-1980s, inter-agency meetings on assistance to the Palestinian people were convened to assess the progress made in this field and to explore ways and means of enforcing such economic and social assistance.

During the past decade, UNRWA provided assistance to the Palestine refugees in Jordan, Lebanon, the Syrian Arab Republic and the occupied territory of the West Bank and Gaza Strip, including those living in the refugee camps, numbering at present about 2.4 million persons. UNRWA's ongoing assistance consists of a regular programme covering education, health and relief and social services as well as emergency and special programmes. Under its education programme, UNRWA provides schooling for some 357,000 refugee children through grade 9, vocational and technical training to 5,000 young men and women trainees and over 500 university scholarships. Under its health programme, the Agency delivers a primary health care service through a network of about 100 health centres. Comprising curative and preventive medical care, the health service focuses on the needs of the vulnerable groups of the population, especially mothers and children, and maintains environmental sanitation services in 61 refugee camps. The relief and social services programme covers food and other assistance to some 150,000 of the neediest refugees and social services such as special activities for women and other disadvantaged groups, including the disabled, as well as income-generating projects. In addition to its regular programme, UNRWA has been providing emergency programmes for Palestinians in Lebanon since 1982 and in the occupied Palestinian territory since 1988. The latter includes food assistance, additional medical services for casualties and a measure of protection through general assistance and extra international staff. In the Gaza Strip and West Bank, approximately 20,000 tons of food

commodities were distributed to needy families in 1989. The Agency also has a special programme to help improve the infrastructure in the occupied Palestinian territory. The Agency's programmes are almost entirely funded by voluntary contributions.

The General Assembly, in its resolution of 21 December 1990 on assistance to the Palestinian people, requested the World Food Programme to provide food assistance to the Palestinian people in the occupied Palestinian territory and requested the international community, the organizations of the United Nations system, intergovernmental organizations and NGOs to sustain and increase their assistance to the Palestinian people, in close cooperation with the Palestine Liberation Organization. The General Assembly called for the granting of trade concessions and concrete preferential measures for Palestinian exports on the basis of Palestinian certificates of origin and for facilitating the establishment of Palestinian development banks in the occupied Palestinian territory, with a view to promoting investment, production, employment and income.

Other intergovernmental organizations have provided assistance to the Palestinian population living under Israeli military occupation during the period from 1979 to 1990. According to information contained in paragraph 82 of the annex to the report of the Secretary-General on permanent sovereignty over national resources in the occupied Palestinian and other Arab territories, dated 23 June 1983, Arab States were active in this area. For instance, at the Ninth Arab Summit Conference held in Baghdad in 1978, a special fund had been established to make available resources to development projects in the occupied territories, which was administered by the Jordanian-Palestinian Joint Committee. These resources, designated principally for assistance to Palestinian municipalities in the occupied territory, were used mainly to finance local infrastructure such as roads, schools, hospitals and other municipal construction, with some assistance going to agriculture and industry. It was estimated that these funds covered 60 per cent of municipal operating budgets and 100 per cent of their development budgets. According to the report, since August 1981 the military authorities have imposed increasingly severe restrictions on the transfer and use of these funds.

Further examples of intergovernmental assistance outside the United Nations system included the following. The Arab League Educational, Cultural and Scientific Organization (ALECSO) and the Association of

Arab Universities worked with Palestinian universities in the area of higher education and, in 1988, the Governing Board of the OPEC Fund for International Development approved funding administered by the Arab Fund for Economic and Social Development, for the Red Crescent Society and the Patient's Friends Society to help finance two primary health care projects in the West Bank.[14] The European Council, in a declaration on the Middle East made in Dublin on 26 June 1990, addressed increasing Community aid activities and a successful trade initiative pertaining to the growing export of Palestinian agricultural produce to the countries of the European Community. The relevant sections of the statement concluded as follows:

> "As an expression of the importance which the European Council attaches to facilitating the speedy and efficient implementation of the Community's expanding programme for the benefit of the population of the occupied territories, the Commission is invited to appoint a representative to the occupied territories for this purpose at an early date."

NGOs from many countries carried out assistance projects independently or, for example, with the financial assistance of bilateral agencies such as the United States Agency for International Development (AID), which had started a programme of assistance to Palestinians in the mid-1970s. During the 1980s, United States private voluntary organizations maintained programmes of assistance in the education, health and social welfare sectors. Based on partial information, such organizations included American-Mideast Educational and Training Services (AMIDEAST, formerly American Friends of the Middle East), the American Friends Service Committee (AFSC, the service arm of the Quaker Church), American Near East Refugee Aid (ANERA), the Community Development Foundation (a project of Save the Children), Catholic Relief Services (CRS), Cooperative for American Relief Everywhere (CARE), Holy Land Christian Mission (HLCM), and the Mennonite Central Committee (MCC, affiliated with the United States Mennonite Church).[15]

According to the statement made by the Soviet delegation before the Special Political Committee of the General Assembly on 1 November 1990, the Soviet Committee on Solidarity with the Countries of Asia and Africa was providing material assistance and would also give scholarships

to a group of Palestinian students at institutions of higher learning in the Soviet Union.

As an agency of a non-governmental nature, representing the Holy Father, the Pontifical Mission for Palestine has served as a conduit of resources from many of the Catholic charity organizations. It coordinated its efforts in close collaboration with such European agencies as Misereor, Missio, Kindermissionswerk, Kinderhilfe Bethlehem, Aid to the Church in Need, the Archdiocese of Cologne and others. During the period from 1979 to 1990, the Pontifical Mission for Palestine continued to respond to current needs of suffering people in the Middle East through its offices in Amman, Beirut and Jerusalem. Since December 1987, the beginning of the Palestinian *intifadah*, it has provided emergency medical supplies, medical equipment and personnel, agricultural supplies and other assistance to needy families, schools and communities.[16]

Despite a variety of international efforts addressing the rapidly deteriorating economic and social living conditions of the Palestinian people, the process of deterioration could neither be arrested nor reversed. During the 1980s, the Palestinian people continued to be denied its inalienable rights, including, as noted, those related to determining its socio-economic development. The events connected with the *intifadah*, at the end of the decade under review, have destroyed much of the socio-economic structure of the occupied Palestinian territory and increased manifold the need for urgent international assistance. In a memorandum dated 21 September 1990, the Director General of the Department of Economic Affairs and Planning of the Palestine Liberation Organization addressed the direct economic losses sustained by the Palestinians as a result of the Gulf crisis, which had begun in August, and detailed the income and remittances foregone by Palestinians in the occupied territory amounting, at the time, to $747 million. According to the memorandum, the suffering of the Palestinians in the occupied territory, as compared with those living elsewhere, is without doubt the most severe, because it comes in addition to the massive and general suffering caused by Israeli occupation in 1967, and repression since then, but most brutally and indiscriminately since the uprising or *intifadah*, which erupted in December 1987. The Director General noted that the Palestinian community in question had gone through every form of hardship imaginable, and referred to the political, economic, physical, psychological and cultural aspects of the dispossession and hardship inflicted on groups and individuals alike, and on the community as a whole.

V. Conclusion

The question of Palestine, at the core of the Arab-Israeli conflict in the Middle East, has been a major concern of the international community throughout most of the twentieth century. For well over 40 years, this concern has claimed more time and attention from the United Nations than any other international problem. The consensus of the international community to solve this problem through a negotiated settlement under the auspices of the United Nations cannot be implemented for reasons beyond the control of the United Nations. The 1980s have, however, witnessed increasing intergovernmental efforts to bring about a just political solution of the question of Palestine. In 1983 the International Conference on the Question of Palestine, held at the United Nations Office at Geneva, called for the convening of an international peace conference on the Middle East. Towards the end of the decade, an unprecedented degree of agreement regarding the desirability of convening the proposed International Peace Conference has emerged. An overwhelming majority of States Members of the United Nations has continued to vote in favour of attaining a comprehensive, just and lasting peace in the region through a negotiated settlement and, since 1969, reaffirmed the inalienable rights of the Palestinian people.

Throughout the 1980s, the Committee on the Exercise of the Inalienable Rights of the Palestinian People unremittingly recommended resolute efforts by all nations, particularly those in the region, and by the Security Council, so that conflict will cease and a steady course of action in the search for a durable and comprehensive peace be set in motion. The Committee reiterated on many occasions that urgent efforts should be made to convene the proposed International Peace Conference on the Middle East and to ensure the protection of the Palestinian people living under Israeli occupation.

The Committee's efforts acquired an even greater urgency in view of the crisis in the Middle East growing since August 1990 and the serious risk of further armed confrontation, which would have dire repercussions for the Palestinian cause and for peace and security throughout the region and beyond. The Committee urged the Security Council to show the same

resoluteness in dealing with the question of Palestine as it did in the case of the crisis in the Gulf. A prompt and just solution to the question of Palestine would be of fundamental importance to the achievement of lasting peace and security in the entire Middle East.

In his report on the work of the United Nations issued in 1989, the Secretary-General stated that the situation in the Middle East remained a source of profound and intense concern, not only because of the political principles and issues at stake, but also because of the widespread human suffering caused by the failure to resolve those issues. Hopes for early progress in the peace process, which had been encouraged by the diplomatic momentum following decisions taken by the Palestine National Council in Algiers in November 1988, had sadly given way to mistrust and doubt among the parties concerned. Bilateral efforts to promote a direct dialogue between Israelis and Palestinians were unsuccessful. In his report on the work of the organization in 1990, the Secretary-General said:

> "The Middle East as a whole continues to be the most explosive region of the world today. Long-standing grievances, which have festered for years, have been aggravated by an escalating arms race throughout the area, which has spawned a deadly arsenal of weapons of mass destruction. In the long run, lasting peace will come to the Middle East only when the principles of international law govern the relations between States, when disputes are resolved through peaceful means, when the aspirations of those deprived of their rights have been fulfilled, and regional security and economic arrangements - which take into account the concerns of all the parties in the area - have been established."[17]

Notes

1. See The Question of Palestine, United Nations, 1981.

2. Report of the Secretary-General on the question of Palestine and the situation in the Middle East, forty-fifth session of the General Assembly, and Security Council (A/45/709-S/21929), 12 November 1990, p. 9.

3. See M. Benvenisti, 1986 Report (Jerusalem, The West Bank Data Base, 1986), p. 40.

4. See Statistical Abstract of Israel, 1989, No. 40 (Jerusalem, Central Bureau of Statistics, Government of Israel, 1989), tables II/5, XXVII/1 and XXVII/2; Statistical Abstract of Israel, 1988, No. 39 (Jerusalem, Central Bureau of Statistics, Government of Israel, 1988), table XXVII/4; Palestinian Statistical Abstract 1984/1985, No. 6 (Damascus, Central Bureau of Statistics, PLO, 1986), tables II/2, II/3, III/2 and III/3; Statistical Abstract of Israel, 1983, No. 34, (Jerusalem, Central Bureau of Statistics, Government of israel, 1983), table II/4; Census of Population and Housing 1967: East Jerusalem, Part II, (Jerusalem, Central Bureau of Statistics, Government of Israel, 1970), table 8; and Census of Population and Housing 1967: East Jerusalem, Part I, (Jerusalem, Central Bureau of Statistics, Government of Israel, 1968), table 2; on 24 May 1991, The New York Times reported, on p. 3, the following official figures taken from the Israeli Government's census: West Bank - a little more than 1 million Palestinians, 105,000 settlers; Gaza Strip - 650,000 Palestinians, 4,500 settlers.

5. Benvenisti, op.cit., p. 30.

6. See, for instance, Emile Sahliyeh, In Search of Leadership: West Bank Politics Since 1967, (The Brookings Institution, Washington, D.C., 1988), p. 8.

7. See note 4 above.

8. See Benvenisti, op.cit., pp. 16 and 19.

9. The information is based on Statistical Abstract of Israel, 1989, table XXVII/14, and Palestinian children, p. 17f.

10. See report of the Director-General, ILO, International Labour Conference, seventy-sixth session, 1989, appendix III, p. 11.

11. See The New York Times, 9 December 1988, p. A10.

12. The information is based on Palestinian children in the occupied Palestinian territory, United Nations, 1990, pp. 36-38.

13. Based on table 4, projections and The Holy Al-Quds (monthly), Amman, September 1988, No. 42, p. 14 (Arabic).

14. See "Living conditions of the Palestinian people in the occupied Palestinian territories", report of the Secretary-General of 14 June 1985 (document A/40/373, annex), para. 73, and OPEC Bulletin, May 1988, p. 63.

15. See J. Richardson, "Tug-of-war: American voluntary organizations in the West Bank", in Journal of Palestine Studies, Vol. XIV, No. 2, 1985, pp. 138-141.

16. See A. David, "The pontifical mission for Palestine", in Catholic Near East, Vol. 15, No. 2, 1989, p. 10f.

17. Official Records of the General Assembly, Forty-fifth Session, Supplement No. 1 (A/45/1).

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